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JOURNAL

OF THE

CONVENTION OF THE PEOPLE

OF

SOUTH CAROLINA,

HELD IN 1860, 1861 AND 1862,

TOGETHER WITH THE

ORDINANCES, REPORTS, RESOLUTIONS, ETC.

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PUBLISHED BY ORDER OF THE CONVENTION.

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## FIRST SESSION.

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MONDAY, DECEMBER 17, 1860.

Pursuant to an Act of the General Assembly of the State of South Carolina, entitled "An Act to provide for the calling of a Convention of the People of this State," ratified the 13th day of November, 1860, the Delegates from the several Election Districts of this State, assembled in the Baptist Church, in the Town of Columbia, on this day, at twelve o'clock, M.

On motion of Mr. James H. Adams, of Richland, Mr. D. F. Jamison, a Delegate from Barnwell, was called to the chair.

On motion of Mr. J. Izard Middleton, of All Saints, it was

*Resolved*, That the President appoint a member of the Convention temporary Secretary.

The President, in accordance with this resolution, requested Mr. T. Y. Simons, of St. Philip's and St. Michael's, to act as temporary Secretary; and then addressed the Convention as follows:

*Gentlemen:* We have met here under circumstances more solemn than any of us have ever been placed in before. No one, it seems to me, is duly impressed with the magnitude of the work before him, who does not, at the same time, feel that he is about to enter upon the gravest and most solemn act which has fallen to the lot of this generation to accomplish. It is no less than our fixed determination to throw off a Government to which we have been accustomed, and to provide new safeguards for our future security. If anything has been decided by the elections which sent us here, it is, that South Carolina must dissolve her connection with the Confederacy as speedily as possible.

In the progress of this movement we have two great dangers to fear—overtures from without, and precipitation within. I trust that the door is now forever closed to all further connection with our Northern

confederates; for what guarantees can they offer us, more strictly guarded, or under higher sanctions, than the present written compact between us? And did that sacred instrument protect us from the jealousy and aggressions of the North, commenced forty years ago, which resulted in the Missouri Compromise?

Did the Constitution protect us from the cupidity of the Northern people, who, for thirty-five years, have imposed the burden of supporting the General Government chiefly on the industry of the South? Did it save us from Abolition petitions, designed to annoy and insult us, in the very halls of our Federal Congress? Did it enable us to obtain a single foot of the soil acquired in the war with Mexico, where the South furnished three-fourths of the money, two-thirds of the men, and four-fifths of the graves? Did it oppose any obstacle to the erection of California into a free-soil State, without any previous territorial existence, without any defined boundaries, or any census of her population? Did it throw any protection around the Southern settlers of Kansas, when the soil of that territory was invaded by the emissaries of Emigrant Aid Societies, in a crusade preached from Northern pulpits, when churchmen and women contributed Sharp's rifles and Colt's revolvers, to swell the butchery of Southern men? And has not that Constitution been trodden under foot by almost every Northern State, in their Ordinances nullifying all laws made for the recovery of fugitive slaves, by which untold millions of property have been lost to the South?

Let us be no longer duped by paper securities. Written Constitutions are worthless, unless they are written, at the same time, in the hearts, and founded on the interests of a people; and as there is no common bond of sympathy or interest between the North and the South, all efforts to preserve this Union will not only be fruitless, but fatal to the less numerous section. The other danger to which I referred, may arise from too great impatience on the part of our people to precipitate the issue, in not waiting until they can strike with the authority of law.

At the moment of inaugurating a great movement like the present, I trust that we will go forward, and not be diverted from our purpose by influences from without. In the outset of this movement I can offer you no better motto than Danton's, at the commencement of the French Revolution: "To dare! and again to dare! and without end to dare!"



Mr. J. H. Adams, of Richland, offered the following resolutions :

*Resolved*, That the proceedings of this meeting be opened with prayer, and that the Rev. Mr. Breaker be invited to officiate this morning.

*Resolved*, That each successive day of our Convention be opened with prayer, and that the President of the Convention be requested to invite some clergyman to perform that duty.

The question being taken, the resolutions were agreed to, and the proceedings were opened with prayer accordingly.

The President laid before the Convention the following communication :

HOUSE OF REPRESENTATIVES, December 17, 1860.

*To the Honorable the President of the Convention*

*of the People of South Carolina :*

SIR : In accordance with a resolution adopted by the House this day, I have the honor of extending to you and the members of the Convention, an invitation to attend the inauguration of the Governor elect, to take place this day in the Hall of the House of Representatives.

With profound respect,

I have the honor to be,

Respectfully yours,

JAMES FARROW,

*Chairman Committee of Arrangements.*

On motion of Mr. James L. Orr, of Anderson, it was

*Resolved*, That the communication be laid on the table until the organization of the Convention is completed.

The credentials of the following individuals were then exhibited, and their names enrolled as members of the Convention :

*Abbeville*—Thos. Chiles Perrin, Edw. Noble, J. H. Wilson, Thos. Thomson, David Louis Wardlaw, Jno. Alfred Calhoun.

*All Saints*—John Izard Middleton, Benjamin E. Sessions.

*Anderson*—J. N. Whitner, James L. Orr, J. P. Reed, R. F. Simpson, Benjamin Franklin Mauldin.

*Barnwell*—Lewis Malone Ayer, Jr., W. Peronneau Finley, J. J. Brabham, Benj. W. Lawton, D. F. Jamison.

*Chester*—John McKee, Thomas W. Moore, Richard Woods, A. Q. Dunovant.

*Chesterfield*—John A. Inglis, Henry McIver, Stephen Jackson.

*Christ Church*—W. Pinckney Shingler, Peter P. Bonneau.

*Clarendon*—John P. Richardson, John J. Ingram.

*Darlington*—Edgar W. Charles, Julius A. Dargan, Isaac D. Wilson, John M. Timmons.

*Edgefield*—Francis Hugh Wardlaw, R. G. M. Dunovant, James Parsons Carroll, Wm. Gregg, Andrew J. Hammond, James Tompkins, James C. Smyly.

*Fairfield*—John Hugh Means, William Strother Lyles, Henry Campbell Davis, Jno. Buchanan.

*Greenville*—James C. Furman, P. E. Duncan, W. K. Easley, James Harrison, W. H. Campbell.

*Horry*—Thos. W. Beaty, Wm. J. Ellis.

*Kershaw*—T. J. Withers, James Chesnut, Jr.

*Lancaster*—R. L. Crawford, W. C. Cauthen, D. P. Robinson.

*Laurens*—H. C. Young, H. W. Garlington, John D. Williams, W. D. Watts, Thos. Wier.

*Lexington*—H. I. Caughman, John C. Geiger, Paul Quattlebaum.

*Marion*—W. B. Rowell, Chesley D. Evans, Wm. W. Harlee, A. W. Bethea.

*Marlboro'*—E. W. Goodwin, William D. Johnson, Alex. McLeod.

*Newberry*—John P. Kinard, Robert Moorman, Joseph Caldwell, Simeon Fair.

*Orange*—Thomas Worth Glover, Lawrence M. Keitt, Donald Rowe Barton.

*Pickens*—Wm. Hunter, Andrew F. Lewis, Robt. A. Thompson, William S. Grisham, John Maxwell.

*Prince William's*—Jno. E. Frampton, W. Ferguson Hutson.

*Richland*—W. F. DeSaussure, William Hopkins, James H. Adams, Maxey Gregg, John H. Kinsler.

*St. Andrew's*—Ephraim M. Clark, Alex. H. Brown.

*St. Bartholomew's*—E. St. P. Bellinger, Merrick E. Carn, E. R. Henderson, Peter Stokes.

*St. George's, Dorchester*—Daniel Flud, David C. Appleby.

*St. Helena*—R. W. Barnwell, Jos. Daniel Pope.

*St. James', Goose Creek*—John M. Shingler, C. P. Brown.

*St. James', Santec*—Daniel DuPre, A. Mazyck.

*St. John's, Berkeley*—William Cain, P. G. Snowden.

*St. John's, Colleton*—Geo. W. Seabrook, Sr., John Jenkins.

*St. Luke's*—R. J. Davant, E. M. Seabrook.

*St. Matthew's*—John J. Wannamaker.

*St. Paul's*—Elias B. Scott, Joseph E. Jenkins.

*St. Peter's*—Langdon Cheves, George Rhodes.

*St. Philip's and St. Michael's*—A. G. Magrath, Wm. Porcher Miles, John Townsend, Robert N. Gourdin, H. W. Conner, Theodore D. Wagner, R. Barnwell Rhett, C. G. Memminger, Gabriel Manigault, John Julius Pringle Smith, Isaac W. Hayne, Jno. H. Honour, Rich'd DeTreville, Thos. M. Hanckel, A. W. Burnet, Thos. Y. Simons, L. W. Spratt, Williams Middleton, F. D. Richardson, B. H. Rutledge, Edward McCrady, Francis J. Porcher.

*St. Stephen's*—T. L. Gcurdin, John S. Palmer.

*St. Thomas' and St. Dennis'*—John L. Nowell, John S. O'Hear.

*Spartanburg*—John G. Landrum, B. B. Foster, Benjamin F. Kilgore, J. H. Carlisle, Simpson Bobo, Wm. Curtis.

*Sumter*—H. D. Green, Matthew P. Mayes, Thomas Reese English, Sr., Albertus Chambers Spain.

*Union*—J. M. Gadberry, J. S. Sims, Wm. H. Gist, James Jefferies.

*Williamsburg*—Anthony W. Dozier, John G. Pressley, R. C. Logan.

*Winyaw*—Francis S. Parker, Benjamin Faneuil Dunkin, Samuel Taylor Atkinson, Alex. M. Forster.

*York*—William Blackburn Wilson, Robert T. Allison, Samuel Rainey, A. Baxter Springs, A. I. Barron.

On motion of Mr. Quattlebaum, of Lexington, the Convention proceeded to ballot for permanent President, with the following result:

FIRST BALLOT.

Whole number of votes cast.....151  
Necessary to a choice..... 76

Mr. W. H. Gist.....received 27 votes.

J. L. Orr..... " 22 "

J. Chesnut, Jr..... " 22 "

R. W. Barnwell..... " 17 "

D. F. Jamison..... " 15 "

D. L. Wardlaw..... " 15 "

J. P. Carroll..... " 6 "

J. C. Furman..... " 6 "

R. B. Rhett..... " 5 "



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Mr. B. F. Dunkin.....	received 4 votes.
J. H. Adams.....	" 3 "
J. A. Inglis.....	" 3 "
J. P. Richardson.....	" 2 "
D. J. Jamison.....	" 1 "
W. F. DeSaussure.....	" 1 "
J. H. Means.....	" 1 "
Blank.....	1 "

## SECOND BALLOT.

Whole number of votes cast.....	152
Necessary to a choice.....	77

Mr. W. H. Gist.....	received 38 votes.
J. L. Orr.....	" 31 "
D. F. Jamison.....	" 27 "
J. Chesnut, Jr.....	" 27 "
D. L. Wardlaw .....	" 13 "
R. W. Barnwell.....	" 12 "
J. P. Carrell.....	" 1 "
B. F. Dunkin .....	" 1 "
D. J. Jamison.....	" 1 "
J. P. Richardson.....	" 1 "

## THIRD BALLOT.

Whole number of votes cast.....	150
Necessary to a choice.....	76

Mr. D. F. Jamison.....	received 64 votes.
J. L. Orr.....	" 32 "
W. H. Gist.....	" 28 "
J. Chesnut, Jr.....	" 17 "
R. W. Barnwell.....	" 6 "
D. L. Wardlaw.....	" 2 "
D. J. Jamison.....	" 1 "

## FOURTH BALLOT.

Whole number of votes cast.....	151
Necessary to a choice.....	76

Mr. D. F. Jamison.....	received 118 votes.
J. L. Orr.....	" 30 "
J. Chesnut, Jr. ....	" 3 "

Mr. J. Izard Middleton, of All Saints, was called temporarily to the chair, and announced that Mr. D. F. Jamison, having received a majority of the votes cast, was duly elected permanent President of the Convention.

On motion of Mr. Burnet, of St. Philip's and St. Michael's, it was

*Resolved*, That a Committee of three be appointed to conduct the President elect to the chair.

The following gentlemen were appointed: Messrs. A. W. Burnet, Thomas Thomson and W. Poreher Miles.

The President elect, on taking the chair, addressed the Convention as follows:

*Gentlemen of the Convention:*

When I say that I have no words to express the gratification which your confidence has afforded me, I only say precisely what I mean. There is no honor I esteem more highly than to sign the Ordinance of Secession, as a member of this body; but I will regard it as the greatest honor of my life to sign it as your presiding officer. We have entered on a great work, and God, who holds in His hands the destinies of nations, only knows what may be the result. That it may lead to the honor and glory of South Carolina is my most fervent prayer. May God aid our State! I am too little accustomed to the duties of presiding over a body like this, not to feel my want of qualification for the position you have assigned me; and I have been so long withdrawn from deliberative bodies, that I must ask your indulgence for the errors I may commit. I stated in commencing that I was so overcome by your confidence that I had nothing to say. All I can do would be to express but imperfectly the emotions that agitate my bosom.

On motion of Mr. Quattlebaum, of Lexington, it was

*Resolved*, That the rules adopted by the Convention of South Carolina in April, 1852, be adopted by this Convention for the government of the same.

On motion of Mr. Lyles, of Fairfield, it was

*Resolved*, That the President of the Convention be authorized to appoint a Clerk, a Messenger, and a Door Keeper for the Convention.

On motion of Mr. Adams, of Richland, it was

*Resolved*, That the Hon. John A. Elmore, Commissioner to this Convention from the State of Alabama, and the Hon. Charles E. Hooker, Commissioner from the State of Mississippi, be invited to take seats on the floor of the Convention.

*Resolved*, That a Committee of three be appointed by the Chair to wait on the Hon. Messrs. Elmore and Hooker, and invite them to address the Convention, in the Hall, this evening, at seven o'clock.

The Chair appointed Messrs. J. H. Adams, I. W. Hayne and A. W. Burnet, said Committee.

On motion of Mr. Keitt, of Orange, it was

*Resolved*, That a Committee of three be appointed to wait on the Hon. Howell Cobb, of Georgia, and invite him to a seat on the floor of the Convention.

The Chair appointed Messrs. L. M. Keitt, J. L. Orr and W. P. Miles, said Committee.

Mr. Inglis, of Chesterfield, offering the following resolutions :

*Resolved*, That when this Convention adjourns, it stand adjourned to meet in the City of Charleston, on Tuesday, the 18th inst., at four o'clock.

*Resolved*, That the Delegates from St. Philip's and St. Michael's be requested to procure a suitable building for the said meeting, and be requested to report to the President of this Convention as to the same.

Mr. Mazyek, of St. James', Santee, moved to lay the resolutions on the table. Ayes 68, nays 87.

Mr. DeSaussure, of Richland, moved to amend the resolutions by striking out "Tuesday, the 18th," and inserting "Wednesday, the 19th."

On motion of Mr. Smith, of St. Philip's and St. Michael's, the amendment was laid on the table.

The original resolutions were then agreed to.

On motion of Mr. Wannamaker, of St. Matthew's, it was ordered that

*Whereas*, At the election held in St. Matthew's Parish, for Delegates to the Convention, to convene on this day, but one candidate re-

ceived a majority of votes cast. The next two receiving the same numbers, there was, consequently, but one elected. The Parish being entitled to two, is but in part represented; therefore,

*Resolved*, That the President of the Convention do issue a writ of election, to be held on Monday, the 24th instant, in all respects as the former, to fill said vacancy.

On motion of Mr. Maxcy Gregg, of Richland, the Convention took a recess until seven o'clock, P. M.

THOMAS Y. SIMONS,  
*Temporary Secretary.*

### RECESS.

The President resumed the chair.

The President announced the following gentlemen as officers of the Convention, viz: B. F. Arthur, *Clerk*; C. O. LaMotte, *Messenger*; and Samuel J. Nettles, *Doorkeeper*.

Mr. Adams, from the Committee appointed to wait upon the Commissioners from the State of Alabama, and from the State of Mississippi, introduced to the Convention, Hon. John A. Elmore, Commissioner from the State of Alabama, and Hon. Charles E. Hooker, Commissioner from the State of Mississippi, who respectively addressed the Convention.

Mr. J. B. Kershaw, Delegate from Kershaw, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

Mr. Inglis offered the following resolutions:

*Resolved*, That it is the opinion of this Convention that the State of South Carolina should forthwith secede from the Federal Union, known as the United States of America.

*Resolved*, That a Committee of — members be appointed to draft an Ordinance, proper to be adopted by this Convention, in order to accomplish this purpose of secession; and that individual members desiring to submit for the consideration of the Convention, any draft or scheme of such Ordinance, be requested to hand the same, without delay, to the said Committee.

*Resolved*, That the Act of the General Assembly of this State, providing for the assembling of this Convention, be referred to the same Committee, with instructions to consider and report thereon.



The question being put, will the Convention agree to the first resolution? it passed in the affirmative:

Yeas, 159; nays, none.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Adams;

Allison,

Appleby,

Atkinson,

Barnwell,

Barron,

Barton,

Beaty,

Bellinger,

Bethca,

Bobo,

Bonneau,

Brabham,

Brown, A. H.

Brown, C. P.

Buchanan,

Burnet,

Cain,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Carroll,

Caughman,

Cauthen,

Charles,

Chesnut,

Cheves,

Clarke,

Conner,

Crawford,

Curtis,

Dargan,

Messrs. Davant,

Davis,

DeSaussure,

DeTreville,

Dozier,

Duncan,

Dunkin,

Dunovant, A. Q.

Dunovant, R. G. M.

DuPre,

Easley,

Ellis,

English,

Evans,

Fair,

Finley,

Flud,

Forster,

Foster,

Frampton,

Furman,

Gadberry,

Garlington,

Geiger,

Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Gregg, Maxcy

Gregg, William

Grisham,

Hammond,

Messrs. Harlee,  
 Harrison,  
 Hayne,  
 Henderson,  
 Honour,  
 Hopkins,  
 Hunter,  
 Hutson,  
 Inglis,  
 Ingram,  
 Jackson,  
 Jefferies,  
 Jenkins, John  
 Jenkins, J. E.  
 Johnson,  
 Keitt,  
 Kershaw,  
 Kilgore,  
 Kinard,  
 Kinsler,  
 Landrum,  
 Lawton,  
 Lewis,  
 Logan,  
 Lyles,  
 McCrady,  
 McIver,  
 McKee,  
 McLeod,  
 Magrath,  
 Manigault,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Mazyek,  
 Means,  
 Middleton, John Izard  
 Middleton, Williams  
 Miles,  
 Moore,

Messrs. Moorman,  
 Noble,  
 Nowell,  
 O'Hear,  
 Orr,  
 Palmer,  
 Parker,  
 Perrin,  
 Pope,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Rowell,  
 Scott,  
 Seabrook, E. M.  
 Seabrook, G. W., Sr.  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith,  
 Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,

Messrs. Wagner,

Wannamaker,

Wardlaw, D. L.

Wardlaw, F. H.

Whitner,

Wier,

Messrs. Williams,

Wilson, I. D.

Wilson, J. H.

Wilson, W. B."

Withers,

Woods.

The Convention proceeded to the consideration of the second resolution.

Mr. Rhett moved to amend the second resolution by adding the words, "all the matters appertaining to the business of the Convention."

On motion of Mr. Hutson, the amendment was ordered to lie on the table.

On motion of Mr. D. L. Wardlaw, the blank was filled with the number seven; and the resolution was agreed to.

Mr. Inglis withdrew the third resolution.

On motion of Mr. Orr, the Hon. Henry Dickinson, Commissioner from the State of Mississippi to the State of Delaware, was invited to a seat on the floor of the Convention.

On motion of Mr. Manigault, it was

*Resolved*, That it is the earnest desire of this Convention that the Commissioners from the States of Alabama and Mississippi accompany the Convention to Charleston.

On motion of Mr. Pope, it was

*Resolved*, That the thanks of this Convention be returned to the Baptist Congregation, of Columbia, for the use of their building.

On motion of Mr. Keitt, it was

*Resolved*, That a message be sent to the Committee of Arrangements of the Legislature, returning the thanks of the Convention for their invitation to attend the inauguration of the Governor, and explaining why this Convention could not attend.

The President presented the credentials of Hon. John A. Elmore, Commissioner from the State of Alabama, and the credentials of Hon. Charles E. Hooker, Commissioner from the State of Mississippi, which were ordered to be filed, and entered on the journal.

On motion, the Convention was adjourned at ten o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

## STATE OF MISSISSIPPI.

JOHN J. PETTUS, *Governor of the State of Mississippi,*  
*To His Excellency, the Governor of the State of South Carolina,*  
*Greeting :*

BE IT KNOWN, That, reposing special trust and confidence in the ability, integrity and fitness of Hon. C. E. Hooker, I have, in compliance with a resolution passed by the Legislature of this State, on the 30th day of November, A. D. 1860, appointed, and by these presents do appoint him a Commissioner from Mississippi, to proceed to the Capital of South Carolina, to inform the people of that Commonwealth, through their Executive, that the Legislature of this State has passed an Act calling a Convention of the People of the State, to consider the present threatening relations of the Northern and Southern sections of the United States—aggravated by the recent election of a President upon principles of hostility to the States of the South, and to express the earnest hope of Mississippi that South Carolina will coöperate with her in the adoption of efficient measures for the common defence and safety of the South.

• •

Given under my hand, and the Great Seal of the State hereunto affixed, at the City of Jackson, this 5th day of December, A. D. 1860.

By the Governor,

[L. S.]

JOHN J. PETTUS.

C. A. BROUGHNER, *Secretary of State.*





## STATE OF ALABAMA.

EXECUTIVE DEPARTMENT,  
Montgomery, Ala., Dec. 8, 1860.

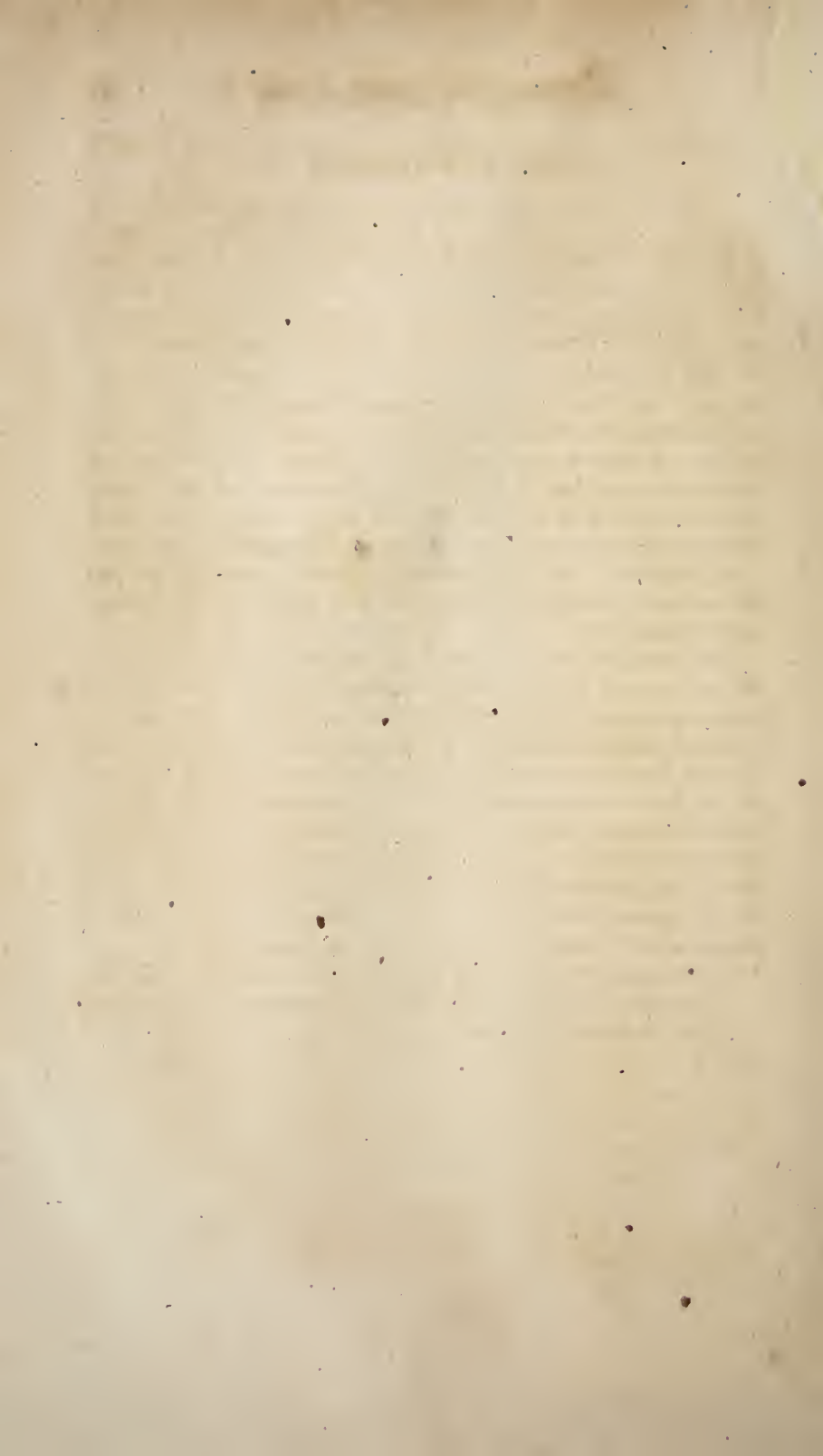
Whereas, the election of Abraham Lincoln, a Black Republican, to the Presidency of the United States, by a purely sectional vote, and by a party whose leading and publicly avowed object is the destruction of the institution of Slavery, as it exists in the slaveholding States: And whereas, the success of said party, and the power which it now has, and soon will acquire, greatly endanger the peace, interests, security and honor of the slaveholding States, and make it necessary that prompt and efficient measures should be adopted to avoid the evils which must result from a Republican administration of the Federal Government; and, as the interests and destiny of the slaveholding States are the same, they must naturally sympathize with each other; they, therefore, so far as it may be practicable, should consult and advise together as to what is best to be done to protect their mutual interests and honor:

Now, therefore, in consideration of the premises, I, Andrew B. Moore, Governor of the State of Alabama, by virtue of the general powers in me vested, do hereby constitute and appoint Col. John A. Elmore, a citizen of said State, a Commissioner to the sovereign State of South Carolina, to consult and advise with his Excellency Governor W. H. Gist, and the members of the Convention to be assembled in said State on the 17th day of December, instant, as to what is best to be done to protect the rights, interests and honor of the slaveholding States, and to report the result of such consultation in time to enable me to communicate the same to the Convention of the State of Alabama, to be held on Monday, the 7th day of January next.

In testimony whereof, I have herunto set my hand, and caused the Great Seal of the State to be affixed, in the City of Montgomery, this 8th day of December, A. D. 1860.

[L. S.]

A. B. MOORE.



## TUESDAY, DECEMBER 18, 1860.

Pursuant to adjournment, the Convention assembled at Institute Hall, in the City of Charleston, at four o'clock, P. M. The President took the chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,

Allison,

Appleby,

Atkinson,

Barron,

Barton,

Beaty,

Bellinger,

Bethca,

Bobo,

Bonneau,

Brabham,

Brown, A. H.

Brown, C. P.

Cain,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Carn,

Carroll,

Cauthen,

Cheves,

Clarke,

Conner,

Crawford,

Curtis,

Dargan,

Davant,

Davis,

DeTreville,

Messrs. Dozier,

Duncan,

Dunkin,

Dunovant, A. Q.

DuPre,

Easley,

Ellis,

English,

Evans,

Fair,

Finley,

Flud,

Forster,

Foster,

Frampton,

Furman,

Garlington,

Geiger,

Glover,

Gourdin, R. N.

Gourdin, T. L.

Green,

Gregg, William

Grisham,

Hammond,

Harlee,

Harrison,

Hayne,

Honour,

Hunter,

Hutson,



Messrs. Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McIver,  
McKee,  
Magrath,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Memminger,  
Middleton, John Izard  
Middleton, Williams.  
Moore,  
Moorman,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Porcher,  
Pressley,  
Quattlebaum,

Messrs. Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Robertson,  
Rowell,  
Scott,  
Seabrook, E. M.  
Sessions,  
Shingler, W. P.  
Simons,  
Simpson,  
Sims,  
Smith,  
Smyly,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Wagner,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Whitner,  
Wier,  
Williams,  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

The journal of yesterday's proceedings was read.

Mr. John L Manning, a Delegate from Clarendon, appeared at the

Clerk's desk, produced his credentials, enrolled his name, and took his seat.

Messrs. Carn, Memminger, Young and Watts asked to give the vote they would have given, if present, on a resolution adopted yesterday, declaring it to be the sense of this Convention, that the State of South Carolina should forthwith secede from the Federal Union; and those gentlemen being called, respectively answered, "aye."

On motion of Mr. Rhett, it was

*Resolved*, That a Committee consisting of ——— members be appointed to prepare an address to the people of the Southern States.

On motion, the blank was filled with the number seven.

Whereupon, the President appointed the following gentlemen, of the Committee :

Messrs. R. B. Rhett,  
John A. Calhoun,  
W. P. Finley,  
I. D. Wilson,  
W. F. DeSaussure,  
Langdon Cheves,  
M. E. Carn.

On motion of Mr. Orr, it was

*Resolved*, That the Charleston Delegation be requested to inquire into and report upon the expediency of procuring another Hall for the use of this Convention, and that they publish their decision to-morrow in the newspapers of the city.

Mr. Hutson offered the following resolution :

*Resolved*, That the President do appoint four standing Committees for this Convention, each consisting of seven, as follows :

1. A Committee on Relations with the Slaveholding States of North America.
2. A Committee on Foreign Relations.
3. A Committee on Commercial Relations.
4. A Committee on the Constitution of the State.

On motion of Mr. F. D. Richardson, the resolution was made the

special order of the day for to-morrow, at one o'clock, P. M., and was ordered to be printed.

On motion of Mr. Quattlebaum, it was

*Resolved*, That a Committee of three be appointed to receive proposals for printing the proceedings of this Convention, and that they report thereon as soon as practicable.

Whereupon the President appointed the following gentlemen, of the Committee:

Messrs. Paul Quattlebaum,  
T. Y. Simons, Jr.,  
J. H. Kinsler.

Mr. Magrath offered the following resolution:

*Resolved*, That so much of the Message of the President of the United States as relates to what he designates "the property of the United States in South Carolina," be referred to a Committee of ——— to report of what such property consists, how acquired, and whether the purpose for which it was so acquired can be enjoyed by the United States after the State of South Carolina shall have seceded, consistently with the dignity and safety of the State; and that the said Committee further report the value of the property of the United States not in South Carolina; and the value of the share thereof to which South Carolina would be entitled upon an equitable division thereof among the United States.

On motion of Mr. Orr, the resolution was made the special order of the day for to-morrow, at one o'clock, P. M., and was ordered to be printed.

Mr. DeTreville offered the following resolution:

*Resolved*, That it is expedient that a Council, to consist of five citizens of the State, to act with the Governor of the State as his counsellors and advisers, and to be called a Council of Safety, should be forthwith appointed; and that it be referred to a Committee of this Convention to report thereon, by Ordinance or otherwise.

On motion of Mr. Orr, the resolution was made the special order of

the day for to-morrow, at one o'clock, P. M., and was ordered to be printed.

Mr. J. L. Middleton offered the following resolution :

*Resolved*, That the President be authorized to appoint an Assistant Clerk.

Mr. Means moved to amend the resolution by adding the words :  
"whenever it shall become necessary."

The amendment was accepted by the mover of the resolution,

When, on motion of Mr. Reed, the resolution, as amended, was ordered to lie on the table.

The President stated that since the adjournment of the Convention at Columbia, he had received a communication from the State of Georgia, with a request to present it to the Convention.

On motion of Mr. Withers, it was ordered that the communication be laid on the table.

The President announced the following gentlemen as the Committee appointed under a resolution offered by the member from Chesterfield (Mr. Inglis), to draft an Ordinance proper to be adopted by the Convention, viz :

Messrs. John A. Inglis,  
R. B. Rhett,  
James Chesnut, Jr.,  
James L. Orr,  
Maxcy Gregg,  
B. F. Dunkin,  
W. F. Hutson.

On motion of Mr. Simons, it was

*Resolved*, That when this Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Simons, the Convention was adjourned at four minutes past five o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*



WEDNESDAY, DECEMBER 19, 1860.

Pursuant to the action of the Committee, appointed to make arrangements for providing another Hall for the use of the Convention, the Convention assembled at St. Andrew's Hall; the President took the chair, and the proceedings were opened with prayer by Rev. William Curtis.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,  
Allison,  
Appleby,  
Atkinson,  
Ayer,  
Barron,  
Barton,  
Beaty,  
Bellinger,  
Bethea,  
Bobo,  
Bonneau,  
Brown, A. H.  
Brown, C. P.  
Burnet,  
Buchanan,  
Cain,  
Calhoun,  
Campbell,  
Carlisle,  
Carn,  
Caughman,  
Caughen,  
Charles,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Curtis,

Messrs. Dargan,  
Davis,  
DeSaussure,  
DeTreville,  
Dozier,  
Duncan,  
Dunkin,  
DuPre,  
Easley,  
English,  
Evans,  
Finley,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,

Messrs. Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johuson,  
Kilgore,  
Landrum,  
Lawton,  
Logan,  
Lyles,  
Magrath,  
Manigault,  
Mauldin,  
Mayes,  
McIver,  
McKee,  
McLeod,  
Means,  
Middleton, John Izard  
Middleton, Williams  
Miles,  
Moore,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,

Messrs. Porcher,  
Pressley,  
Quattlebaum,  
Reed,  
Rhodes,  
Richardson, F. D.  
Robinson,  
Rutledge,  
Scott,  
Seabrook, G. W., Sr.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Sims,  
Smith,  
Smyly,  
Snowden,  
Spain,  
Spratt,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Wagner,  
Wannamaker,  
Wardlaw, F. H.  
Watts,  
Whitner,  
Wier,  
Williams,  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

The journal of yesterday's proceedings was read.

The President laid before the Convention the following communication :

POST OFFICE, Charleston,  
December 19, 1860.

T. Y. SIMONS, Esq.

*Dear Sir :* I send herewith a package containing letters for Delegates to the Convention, and I ask the favor of you to announce that it will give me great pleasure to have all matter for members of that body placed in your hands at the opening of the Convention on each succeeding day.

Also, that a clerk from this office will be in attendance at your desk at half-past twelve every afternoon, to receive such letters as gentlemen of the Convention, or their guests, may wish to have mailed for other places.

Very respectfully, your fellow-citizen,

ALFRED HUGER, P. M.

The President laid before the Convention the following communication :

CHARLESTON, December 19, 1860.

*To the Hon. D. F. JAMISON, President of the*

*Convention of the State of South Carolina :*

SIR : On the night of the 17th instant, after the adjournment of the Convention at Columbia, I received from his Excellency, the Governor of the State of Alabama, a despatch, by telegraph, of that date, and which I herewith enclose, and have the honor to request may be read and submitted to the Convention as directed by his Excellency, Gov. Moore.

Permit me to assure the Convention that in making this communication, his Excellency, Gov. Moore, offers it in no spirit of dictation, but as the friendly counsel and united voice of the true men of Alabama, for the consideration of this Convention, and in the same spirit of consultation and conference which impelled him to send a Commissioner to this and the other Southern States.

With sentiments of the highest respect for the Convention and for yourself,

I am your obedient servant,

J. A. ELMORE.

The despatch referred to is as follows :

MONTGOMERY, Dec. 17, 1860.

To JOHN A. ELMORE :

Tell the Convention to listen to no propositions of compromise or delay.

A. B. MOORE.

On motion of Mr. D. L. Wardlaw, the communication was referred to the Committee on the Southern Address.

Mr. Reed offered the following resolutions :

1. *Ordered*, That the President appoint a Cashier and Deputy Cashier.

2. *Ordered*, That the Clerk act as Reading Clerk, and also superintend such printing as the Convention may order.

3. *Ordered*, That the reporters for the public journals be allowed access to the Hall for the purpose of reporting.

4. *Ordered*, That the regular hour of meeting shall be ten o'clock, A. M., subject to special orders fixing some other time.

5. *Ordered*, That there be printed, for the use of the Convention, an alphabetical list of the names of the members, and also a list of the names arranged according to State Election Divisions, with their Post Offices.

6. *Ordered*, That the journal of each day's proceedings be printed, and laid on the tables of members, before the hour of meeting.

*Resolved*, That the rules adopted for the government of the Convention, be published with the journal of this day's proceedings.

Mr. Quattlebaum moved to divide the question, so as to take the vote on each separately.

Mr. Inglis moved to amend the third order by adding the words "newspapers in this State."

Mr. F. H. Wardlaw moved to amend the third order by adding the words "one reporter for each newspaper."

Mr. Cheves moved to amend by requesting the President to make such arrangements on the subject as to him might seem proper.

The consideration of the resolutions was suspended, and

Mr. Manning moved that a bar be erected at the head of the stairs, and a sergeant-at-arms appointed, so that members might have convenient access to the Hall.

After some debate, it was ordered that the duty of making arrangements for convenient access to the Hall be entrusted to the Charleston Delegation.

On motion of Mr. Dargan, the Convention resumed the consideration of the resolutions offered by Mr. Reed.

Mr. Dargan moved to strike out the third resolution, and insert the following :

*Ordered*, That the President be authorized to issue tickets of admission to such reporters of newspapers as he may deem proper.

The amendment was adopted.

Mr. Reed withdrew the fourth order.

On motion of Mr. Dargan, the sixth order was laid on the table.

The resolutions, as amended, were adopted.

On motion of Mr. D. L. Wardlaw, the communication from a portion of the members of the Legislature of the State of Georgia was taken up from the table, and was referred to the Committee on the Southern Address.

Mr. Cauthen stated that his colleague, Mr. D. P. Robinson, was absent from indisposition, when the vote was taken on the resolution declaring it to be the sense of the Convention that the State of South Carolina should forthwith secede from the Federal Union, and asked that he might now be permitted to record the vote he would have given if present.

Whereupon, Mr. Robinson being called, answered "aye."

Messrs. B. H. Rutledge, John L. Manning, L. M. Ayer, T. M. Hanckel and H. D. Green, asked to record the vote they would have given, if present, on the same resolution; and these gentlemen being called, respectively answered "aye."

Mr. Quattlebaum, from the Committee on Printing, made the following report, which was considered immediately, and was agreed to :

The Committee appointed to receive proposals for printing for the Convention of South Carolina, have to report :

That they have received an offer from Messrs. Evans & Cogswell, to do "all the work to be done, in style and quality fully equal to that done for the State by the Printer in Columbia, at the same proportionate rates of compensation as is paid to the Printer to the State Senate."

The Committee believing Messrs. Evans & Cogswell to be reliable,



and that they will do the work as stated, recommend the adoption of the following resolutions :

*Resolved*, That Messrs. Evans & Cogswell be appointed Printers to this Convention while it holds its sittings in Charleston. .

*Resolved*, That the Committee appointed to receive proposals for Printing, be continued as a Standing Committee, and that one of its duties be to supervise the printing of this Convention.

### SPECIAL ORDER.

The Convention proceeded to the consideration of the following resolutions, which had been made the special order of the day for this day, at one o'clock, P. M. :

*Resolved*, That the President do appoint four Standing Committees for this Convention, each consisting of seven, as follows :

1. A Committee on Relations with the Slaveholding States of North America.
2. A Committee on Foreign Relations.
3. A Committee on Commercial Relations.
4. A Committee on the Constitution of the State.

Mr. Smith moved to amend the third clause of the resolution by adding the words "and Postal Arrangements;" which amendment was accepted by the mover of the resolution.

Mr. Mazyek moved to strike out the number seven, and insert thirteen; which amendment was also accepted by the mover of the resolution.

Mr. W. B. Wilson moved to add an additional section, providing for a separate Committee on Postal Arrangements.

Mr. Maxey Gregg moved to amend the second clause of the resolution by adding the words "with other States." Mr. Gregg withdrew his amendment.

On motion of Mr. Calhoun, the question was divided; and the resolutions were finally adopted in the following form :

*Resolved*, That the President do appoint four Standing Committees for this Convention, each consisting of thirteen, as follows :

1. A Committee on Relations with the Slaveholding States of North America.
2. A Committee on Foreign Relations.

3. A Committee on Commercial Relations and Postal Arrangements.
4. A Committee on the Constitution of this State.

### SPECIAL ORDER.

The Convention proceeded to the consideration of the following resolution, which had been made the special order of the day for this day, at one o'clock, P. M. :

*Resolved*, That so much of the Message of the President of the United States as relates to what he designates "the property of the United States in South Carolina," be referred to a Committee of ——— to report, of what such property consists; how acquired; and whether the purpose for which it was so acquired, can be enjoyed by the United States after the State of South Carolina shall have seceded, consistently with the dignity and safety of the State. And that said Committee further report the value of the property of the United States not in South Carolina; and the value of the share thereof to which South Carolina would be entitled upon an equitable division thereof among the United States.

On motion of Mr. Harlee, the blank was filled with the number thirteen.

Mr. W. P. Shingler moved to amend the resolution by requiring the Committee to report the *debt*, as well as the property of the United States.

On motion of Mr. Harlee, the amendment was ordered to lie on the table.

The resolution was agreed to.

### SPECIAL ORDER.

The Convention proceeded to the consideration of the following resolution, which had been made the special order of the day for this day, at one o'clock, P. M. :

*Resolved*, That it is expedient that a Council, to consist of five citizens of the State, to act with the Governor of the State as his counsellors and advisers, and to be called a Council of Safety, shall be forthwith appointed; and that it be referred to a Committee of this Convention to report thereon, by Ordinance or otherwise.

On motion of Mr. DeTreville, the special order was discharged, and was made the special order of the day for to-morrow, at one o'clock, P. M.

Mr. Memminger offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That a Committee, to consist of seven members, be appointed to draft a summary statement of the causes which justify the secession of South Carolina from the Federal Union.

Mr. Dunkin offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee on Commercial Relations and Postal Arrangements, to inquire and report what measures of a temporary or permanent nature, or both, it may be proper to adopt in reference to Custom House and Postal Arrangements, in consequence of the contemplated withdrawal of South Carolina from the Union.

Mr. Hayne offered the following resolutions :

Whereas, the causes which have produced the separation of South Carolina from the Federal Union, have emanated from the States north of Mason and Dixon's line, using hireling labor only ; and, whereas, it has not been against the Constitution of the United States that South Carolina has opposed her sovereignty, but the usurpations of a government in violation of this instrument :

*Resolved*, That a Commissioner be sent to each of the slaveholding States, bearing a copy of the Ordinance of Secession, and proffering to such States, or any one or more of them, the existing Constitution of the United States as the basis of a Provisional Government, to be adopted on the part of South Carolina, and any other slaveholding State or States, which, after seceding from the present Federal Union, shall be willing to unite with South Carolina in the formation of a new Confederacy ; and we do hereby ratify and confirm, from the date thereof, any action taken by such Commissioner, or Commissioners, by and with the consent of the Governor of South Carolina, in the formation of such Provisional Union ; and we do further earnestly recommend that in ——— days after two or more States, in addition to South Carolina, shall have acceded to the said Provisional Union, an election shall be held for Senators and members of the House of Representatives

of the new Congress, and President and Vice President of the new Confederacy.

*Resolved*, That three Commissioners be appointed to carry an authenticated copy of the Ordinance of Secession to Washington, to be laid before the President of the United States, with the request that the same shall be communicated to the Congress now in session; and said Commissioners are hereby authorized and empowered to treat for the delivery of the Forts, Magazines, Light Houses, and other real estate, and all appurtenances thereto, within the geographical limits of South Carolina, the authority to treat upon these subjects to be extended to the ——— day of February, which shall be in the year of our Lord one thousand eight hundred and sixty-one; provided in the meantime, the said Forts, Magazines, and other places, are allowed to remain in the condition in which they may be at the adoption of this Ordinance; and they shall be further empowered to treat upon the subject of the public debt, and for a proper division of all other property than the above, now held by the Government of the United States, as agent of the States now embraced in said Confederacy, until such time as a new Confederacy of States shall be formed, of which South Carolina shall be one.

On motion of Mr. Hayne, the first resolution was referred to the Committee on Relations with the Slaveholding States of North America, and was ordered to be printed.

Mr. Inglis moved that the second resolution be laid on the table.

Mr. Inglis withdrew his motion.

On motion of Mr. Hayne, the second resolution was referred to the Committee on Foreign Relations, and was ordered to be printed.

Mr. Memminger offered the following resolutions:

1. *Resolved*, That a Commission, to consist of three persons, be elected by ballot of this Convention, to proceed to Washington, to negotiate with the United States, acting through their General Government, as to the proper measures and arrangements to be made or adopted in the existing relations of the parties, and for the continuance of peace and amity between them.

2. *Resolved*, That five persons be elected by this Convention, by ballot, who shall be authorized to meet such Deputies as may be appointed by any other slaveholding State, for the purpose of organizing or forming a Southern Confederacy, with power to discuss and settle a

Constitution or plan of union, to be reported to the said States for their ratification, amendment or rejection. That the said Deputies shall invite a meeting at Columbia, or at such other place as may be agreed upon among the Deputies of the several States, and shall report to this Convention such Constitution or Articles as may be agreed on by said Deputies.

On motion of Mr. Memminger, the first of these resolutions was referred to the Committee on Foreign Relations; and the second resolution to the Committee on Relations with the Slaveholding States of North America.

The resolutions were ordered to be printed.

On motion of Mr. Hutson, it was ordered that when the Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

Mr. Mazyek offered the following resolution, which was made the special order of the day for to-morrow, at one o'clock, P. M., and was ordered to be printed:

*Resolved*, That a Committee, to consist of ——— members, be appointed, whose duty it shall be to inquire and report to this Convention how much of the legislation of Congress would be *ipso facto* abrogated so far as this State is concerned, by the secession of the State from the Federal Union, and how much of it might remain of force, notwithstanding the act of secession.

On motion of Mr. Orr, the Convention was adjourned at forty-five minutes past four o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*





# RULES

OF THE

CONVENTION OF DECEMBER 17, 1860.

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1. The President and eighty-four members shall be a quorum to transact business.

2. If any member shall absent himself without leave, he may be sent for at his own expense, and be subject to the censure of the Convention.

3. No member shall speak more than twice to the same point without leave of the Convention.

4. Each member, when speaking, shall address himself to the Chair, standing and uncovered, at his place.

5. If two members rise to speak nearly at the same time, the President shall decide which was first up.

6. Every member, when speaking, shall adhere to the point before the Convention, and shall not be interrupted unless he departs from it, when he may be called to order.

7. When a question of order arises, it shall be decided by the President, in the first instance ; but any member may appeal from his determination to the Convention.

8. When a motion is made and seconded, it shall, if required by a member, be reduced to writing, and delivered in at the table.

9. When a question is put by the President, and the Convention divides, the Clerk shall, at the request of any seven members present, take down and enter on the journal the names of all those members who vote for and against the question, and cause them to be published in any gazette of the State.

10. When the President desires to be heard, the members shall take their seats, and keep order whilst he is speaking.

11. When a motion is made for adjournment and seconded, no ques-

tion shall be debated until the Convention shall have decided that motion.

12. Motions to adjourn, to take a recess, to lay on the table, to postpone indefinitely, or to a day beyond the session, to adjourn a debate, shall be decided without debate, after such short conversations as the President may permit.

13. On points not specified in the above rules, the Convention shall be governed by the "rules of the House of Representatives of the General Assembly of South Carolina," so far as they are applicable.

## THURSDAY, DECEMBER 20, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. T. R. English.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,	Conner,
Allison,	Crawford,
Appleby,	Curtis,
Atkinson,	Dargan,
Ayer,	Davant,
Barnwell,	Davis,
Barron,	DeSaussure,
Barton,	DeTreville,
Beaty,	Dozier,
Bellinger,	Duncan,
Bethea,	Dunkin,
Bobo,	Dunovant, A. Q.
Bonneau,	Dunovant, R. G. M.
Brabham,	DuPre,
Brown, A. H.	Easley,
Brown, C. P.	Ellis,
Buchanan,	English,
Burnet,	Evans,
Cain,	Fair,
Caldwell,	Finley,
Calhoun,	Flud,
Campbell,	Forster,
Carlisle,	Foster,
Carn,	Frampton,
Carroll,	Furman,
Caughman,	Gadberry,
Cauthen,	Garlington,
Charles,	Geiger,
Chesnut,	Gist,
Cheves,	Glover,
Clarke,	Goodwin,

Messrs. Gourdin, R. N.	Messrs. Mauldin,
Gourdin, T. L.	Maxwell,
Green,	Mayes,
Gregg, Maxey	Mazyck,
Gregg, William	Means,
Grisham,	Memminger,
Hammond,	Middleton, John Izard
Hanckel,	Middleton, Williams
Harlee,	Miles,
Harrison,	Moore,
Hayne,	Moorman,
Henderson,	Noble,
Honour,	Nowell,
Hopkins,	O'Hear,
Hunter,	Orr,
Hutson,	Palmer,
Inglis,	Parker,
Ingram,	Perrin,
Jackson,	Pope,
Jefferies,	Porcher,
Jenkins, John	Pressl�y,
Jenkins, J. E.	Quattlebaum,
Johnson,	Rainey,
Keitt,	Reed,
Kershaw,	Rhett,
Kilgore,	Rhodes,
Kinard,	Richardson, F. D.
Kinsler,	Richardson, J. P.
Landrum,	Robertson,
Lawton,	Rowell,
Lewis,	Rutledge,
Logan,	Scott,
Lyles,	Seabrook, E. M.
McCrady,	Seabrook, G. W., Sr.
McIver,	Sessions,
McKee,	Shingler, J. M.
McLeod,	Shingler, W. P.
Magrath,	Simons,
Manigault,	Simpson,
Manning,	Sims,



Messrs. Smith,  
 Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,

Messrs. Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

Mr. Read offered the following resolution :

*Resolved*, That the Mayor of the City of Charleston be invited to a seat on the floor of the Convention.

Mr. Means moved that the resolution be amended so as to include in the invitation the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The amendment was accepted by the mover of the resolution, and the resolution, as amended, was adopted.

The President announced the following Committees :

Committee to draft a summary statement of the causes which justify the secession of South Carolina :

Messrs. C. G. Memminger,  
 F. H. Wardlaw,  
 R. W. Barnwell,  
 J. P. Richardson,  
 B. H. Rutledge,  
 J. E. Jenkins,  
 P. E. Duncan.

Committee on so much of the Message of the President of the United States as relates to the claim of property of the United States within the limits of South Carolina :

Messrs. A. G. Magrath,  
 L. M. Keitt,

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Messrs. J. P. Carroll,  
W. W. Harlee,  
J. H. Wilson,  
R. G. M. Dunovant,  
W. H. Campbell,  
J. P. Reed,  
W. Hopkins,  
W. S. Lyles,  
G. W. Seabrook, Sr.,  
J. J. Ingram,  
E. M. Clarke.

Committee on Relations with the Slaveholding States of North  
America :

Messrs. T. J. Withers,  
J. H. Means,  
J. L. Manning,  
J. Townsend,  
H. C. Young,  
A. Mazyck,  
L. M. Ayer,  
W. B. Wilson,  
T. R. English,  
S. Fair,  
R. J. Davant,  
J. M. Gadberry,  
E. St. P. Bellinger.

Committee on Foreign Relations :

Messrs. W. P. Miles,  
J. H. Adams,  
W. H. Gist,  
F. D. Richardson,  
L. W. Spratt,  
Wm. Cain,  
T. L. Gourdin,  
A. W. Burnet,  
G. Manigault,  
E. Noble,

Messrs. J. S. O'Hear,  
J. D. Pope,  
E. W. Charles.

Committee on Commercial Relations and Postal Arrangements :

Messrs. B. F. Dunkin,  
E. McCrady,  
H. W. Conner,  
R. N. Gourdin,  
J. L. Nowell,  
T. D. Wagner,  
Wm. Gregg,  
J. J. P. Smith,  
J. Jenkins,  
W. Middleton,  
A. H. Brown,  
E. M. Seabrook,  
R. F. Simpson.

Committee on the Constitution of the State :

Messrs. D. L. Wardlaw,  
J. N. Whitner,  
T. W. Glover,  
I. W. Hayne,  
R. DeTreville,  
J. A. Dargan,  
T. Thomson,  
J. Buchanan,  
A. C. Spain,  
H. McIver,  
T. C. Perrin,  
W. D. Johnson,  
J. B. Kershaw.

The President announced that Mr. R. C. Logan is appointed Cashier, and Mr. J. G. Pressley Deputy Cashier, of the Convention.

Mr. Rhett offered the following resolution :

*Resolved*, That a Committee of Thirteen be appointed to report to this Convention an Ordinance proposing and providing for the assem-

blage of a Convention of the Slaveholding States of the United States to form the Constitution of a Southern Confederacy.

On motion of Mr. F. H. Wardlaw, the resolution was referred to the Committee on the Slaveholding States of North America.

Mr. Inglis, from the Committee appointed to prepare an Ordinance proper to be adopted by the Convention, presented the following

#### REPORT:

The Committee appointed to prepare a draft of an Ordinance proper to be adopted by the Convention in order to effect the secession of South Carolina from the Federal Union, respectfully report :

That they have had the matter referred under consideration, and believing that they would best meet the exigencies of the great occasion, and the just expectations of the Convention, by expressing, in the fewest and simplest words possible to be used, consistently with perspicuity, all that is necessary to effect the end proposed and no more, and so excluding everything, which, however proper in itself, for the attention and action of the Convention, is not a necessary part of the solemn act of secession, but may, at least, be as well effected by a distinct Ordinance or resolution, they submit for the consideration of the Convention the accompanying brief draft :

#### AN ORDINANCE

To dissolve the Union between the State of South Carolina and other States united with her under the compact entitled "The Constitution of the United States of America."

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That the Ordinance adopted by us in Convention, on the twenty-third day of May, in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and also all Acts, and parts of Acts, of the General Assembly of this State, ratifying amendments of the said Constitution, are hereby repealed; and that the union now subsisting between South Carolina and other States, under the name of "The United States of America," is hereby dissolved.

Mr. Spain moved that business be suspended for fifteen minutes; which motion was not agreed to.

The question being put, will the Convention adopt the Ordinance?  
it passed in the affirmative;

Yeas, 169; nays, none.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Adams,	Messrs. Curtis,
Allison,	Dargan,
Appleby,	Davant,
Atkinson,	Davis,
Ayer,	DeSaussure,
Barnwell,	DeTreville,
Barron,	Dozier,
Barton,	Duncan,
Beaty,	Dunkin,
Bellinger,	Dunovant, A. Q.
Bethea,	Dunovant, R. G. M.
Bobo,	DuPre,
Bonneau,	Easley,
Brabham,	Ellis,
Brown, A. H.	English,
Brown, C. P.	Evaus,
Buchanan,	Fair,
Burnet,	Finley,
Cain,	Flud,
Caldwell,	Forster,
Calhoun,	Foster,
Campbell,	Frampton,
Carlisle,	Furnian,
Carn,	Gadberry,
Carroll,	Garlington,
Caughman,	Geiger,
Cauthen,	Gist,
Charles,	Glover,
Chesnut,	Goodwin,
Cheves,	Gourdin, R. N.
Clarke,	Gourdin, T. L.
Conner,	Green,
Crawford,	Gregg, Maxey



## Messrs. Gregg, William

Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McCrary,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,

## Messrs. Means,

Memminger,  
Middleton, John Izard  
Middleton, Williams  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robinson,  
Rowell,  
Rutledge,  
Scott,  
Seabrook, E. M.  
Seabrook, G. W., Sr.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Sims,  
Smith,  
Smyly,  
Snowden,  
Spain,

Messrs. Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wannamaker,  
 Wardlaw, D. L.

Messrs. Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

On motion of Mr. Miles, it was ordered that the Clerk telegraph forthwith to our members of Congress in Washington the result of the vote and the Ordinance of Secession.

Mr. DeSaussure offered the following resolutions, which were considered immediately, and were agreed to:

*Resolved*, That a message be sent to his Excellency the Governor, and to both branches of the Legislature, inviting their attendance at the Institute Hall, at seven o'clock this evening; and that this Convention move in procession to the Institute Hall, and there, at seven o'clock, in the presence of the constituted authorities of the State, and of the People, sign the Ordinance of Secession.

*Resolved*, That the President invite a member of the reverend clergy to attend at Institute Hall, at seven o'clock this evening, and, upon the signing of the Ordinance, to return thanks to Almighty God, on behalf of the People of this State, and to invoke His blessing upon our proceedings.

*Resolved*, That the Ordinance be engrossed, under the direction of the Attorney General and the Solicitors, upon parchment, and signed by the President and members of the Convention at the Institute Hall, in the alphabetical order of Election Districts, and be deposited in the archives of the State.

Mr. Dunkin offered the following Ordinance, which was considered immediately:

*Be it ordained, by the People of South Carolina, by their Delegates in Convention assembled,*

That until otherwise provided by the Legislature, the Governor shall

be authorized to appoint Collectors and other officers connected with the Customs for the several ports within the State of South Carolina, and also all Post Masters within the said State; and that, until such appointment shall have been made, the persons now charged with the duties of the said several offices shall continue to discharge the same, keeping an account of the moneys received and disbursed by them respectively.

Mr. Gadberry moved to amend, by striking out the words "by the Legislature."

Mr. Dunkin accepted the amendment.

Mr. E. M. Seabrook moved that the Ordinance be referred to the Committee on Commercial Relations and Postal Arrangements.

Mr. Seabrook withdrew his motion.

Mr. Carroll moved that the Ordinance be made the special order of the day for to-morrow, at one o'clock, P. M., which motion was not agreed to.

Mr. Maxcy Gregg moved to strike out all after the ordaining words, and insert the following:

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That until otherwise provided for by the General Assembly, the importation of merchandize into this State shall be free and unrestricted; and it shall be the duty of the Governor to make such temporary regulations as may be requisite, concerning the entry and clearance of vessels, and to appoint such officers as may be needed for the purpose; and it shall be the duty of the General Assembly to provide proper compensation for all officers whose appointment is required by this Ordinance.*

SECTION 2. And it is further ordained and declared that, until otherwise provided for by the General Assembly, it shall be the duty of the Governor to appoint Post Masters, and to make such temporary arrangements as may be requisite for the transportation of the mails, having due regard to mail contracts with the Government of the United States, now subsisting.

Mr. J. I. Middleton proposed the following amendment, as an additional clause to the Ordinance:

And the Collectors of the Customs are hereby instructed to levy and

collect duties on all goods, wares and merchandize, at half the rates heretofore exacted by operation of the last Tariff Act of the United States Government, until otherwise directed by law.

Mr. Hutson offered the following amendment :

*We, the People of the Commonwealth of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That until the General Assembly shall otherwise provide, all citizens of this State now holding office under the Government of the United States, within the limits of South Carolina, be, and they are hereby, appointed to hold, under the Government of this State, the same offices they now fill, with the pay and the emoluments they now receive.

*And be it further ordained,* that until the General Assembly shall otherwise provide, the revenue and postal laws of the United States be, and they are hereby, adopted and made the laws of this State; saving and excepting that no duties shall be collected upon goods, wares, merchandizes and productions imported from any of the slaveholding Commonwealths of North America.

*And be it further ordained,* that all moneys collected by any of the officers aforesaid shall, after deducting the sums necessary for the compensation of officers and other expenses, be paid into the Bank of the State of South Carolina, subject to the order of the General Assembly.

*And be it further ordained,* that the officers aforesaid shall retain in their hands all property of the United States in their possession, custody and control, subject to the disposal of the General Assembly, who will account for the same upon a final settlement with the Government of the United States.

Mr. A. H. Brown offered the following amendment :

That the Governor of the State be empowered forthwith to collect duties on imports at the rates now existing in the United States, and appoint Collectors or other recipients for the same, and hold them subject to the further direction of this body, and also continue the present Postal Arrangements, in part contracted on our behalf, till further arrangements can be effected.

On motion, the Ordinance, and the amendments proposed, were ordered to be printed.

Pending the debate,

On motion of Mr. Mazyck, business was suspended at forty-five minutes past three o'clock, P. M., till half-past six o'clock, P. M.

### RECESS.

The President resumed the chair.

On motion of Mr. Rhett, it was ordered, that when the Convention adjourn, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

Mr. DeSaussure offered the following resolution, which, on motion of Mr. Bonneau, was ordered to lie on the table :

*Resolved*, That the Charleston Delegates to the Convention be requested to cause an alteration to be made in the arrangement of the Hall, so that the seat of the President shall be in the centre of the Hall, on the south side, opposite to the front entrance; and the chairs of the members be arranged on the right hand and the left, facing the Chair, thus bringing the members face to face, and ensuring the chance of being distinctly heard.

A message was received from the Senate, through their Clerk, Mr. William E. Martin, informing the Convention that the Senate accepted the invitation of the Convention, to attend the signing of the Ordinance of Secession at Institute Hall, this evening, at seven o'clock.

A message was received from the House of Representatives, through their Clerk, Mr. John T. Sloan, informing the Convention that the House of Representatives accepted the invitation of the Convention, to attend the signing of the Ordinance of Secession at Institute Hall, this evening, at seven o'clock.

The Convention moved in procession to Institute Hall. The President took the chair, and the proceedings were opened with prayer by Rev. Dr. Bachman.

The Attorney General, Mr. I. W. Hayne, made the following report :

The Attorney General and the Solicitors, to whom was confided the care of the Ordinance of this Convention for engrossing and enrollment, have performed that duty, and caused the Great Seal of the State to be attached thereto.

Whereupon, the Ordinance was presented, and was signed by every member of the Convention, the Election Districts having been called in alphabetical order.



When the signing was completed, the President of the Convention said :

The Ordinance of Secession has been signed and ratified, and I proclaim the State of South Carolina an Independent Commonwealth.

On motion, the Convention was adjourned at fifteen minutes past nine o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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FRIDAY, DECEMBER 21, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. D. DuPre.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,	Messrs. Campbell,
Allison,	Carlisle,
Appleby,	Carn,
Atkinson,	Carroll,
Ayer,	Caughman,
Barnwell,	Cauthen,
Barron,	Chesnut,
Barton,	Cheves,
Beaty,	Clarke,
Bellinger,	Conner,
Bethea,	Crawford,
Bobo,	Curtis,
Bonneau,	Dargan,
Brabham,	Davant,
Brown, A. H.	Davis,
Buchanan,	DeSaussure,
Caldwell,	DeTreville,
Calhoun,	Duncan,

Messrs. Dunkin,  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Green,  
Gregg, Maxcy  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,

Messrs. Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Meaus,  
Memminger,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Nowell,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Poreher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,

Messrs. Rowell,	Messrs. Thomson, Thomas
Rutledge,	Timmons,
Scott,	Tompkins,
Seabrook, E. M.	Townsend,
Seabrook, G. W., Sr.	Wagner,
Sessions,	Wannamaker,
Shingler, J. M.	Wardlaw, D. L.
Shingler, W. P.	Wardlaw, F. H.
Simons,	Watts,
Simpson,	Whitner,
Sims,	Wier,
Smith,	Williams,
Smyly,	Wilson, I. D.
Snowden,	Wilson, J. H.
Spain,	Wilson, W. B.
Springs,	Withers,
Stokes,	Woods,
Thompson, R. A.	Young.

The journal of yesterday's proceedings was read.

Mr. Adams moved that this Convention go into secret session.

On motion of Mr. Perrin, the motion was ordered to lie on the table.

Mr. Rhett presented the report of the Committee appointed to prepare an address to the people of the Southern States.

On motion of Mr. D. L. Wardlaw, the address was ordered to be printed.

Mr. Carn moved that the address be made the special order of the day for Monday next, at one o'clock, P. M.

Mr. Reed moved to amend, by striking out "Monday next" and inserting "to-morrow"; which amendment was agreed to, and the address was made the special order of the day for to-morrow, at one o'clock, P. M.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made a report, and reported the following

#### ORDINANCE:

An Ordinance to alter the Constitution of the State of South Carolina in respect to the oath of office.

*We, the People of the State of South Carolina, in Convention*

*assembled, do declare and ordain, and it is hereby declared and ordained,*

That the Fourth Article of the Constitution of the State of South Carolina, heretofore amended, be now altered so as to read as follows, to wit :

All persons who shall be elected or appointed to any office of profit or trust, before entering on the execution thereof, shall take (besides special oaths, not repugnant to this Constitution, prescribed by the General Assembly) the following oath: "I do solemnly swear (or affirm) that I will be faithful, and true allegiance bear, to the State of South Carolina, so long as I may continue a citizen thereof; and that I am duly qualified, according to the Constitution of this State, to exercise the office to which I have been appointed; and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State, so help me God."

On motion of Mr. D. L. Wardlaw, the Ordinance was considered immediately, was adopted, was ordered to be engrossed, and to be signed by the President and the Clerk.

On motion of Mr. Pressley, leave of absence was granted to Mr. Dozier, on account of sickness.

On motion of Mr. Spain, leave of absence, until Monday, the 31st instant, was granted to Mr. Green, on account of indisposition.

### SPECIAL ORDER.

On motion of Mr. DeTreville, the Convention proceeded to the consideration of the following resolution, which had been made the special order of the day for Thursday, at one o'clock, P. M. :

*Resolved*, That it is expedient that a Council, to consist of five citizens of the State, to act with the Governor of the State as his counsellors and advisers, and to be called a Council of Safety, should be forthwith appointed; and that it be referred to a Committee of this Convention to report thereon, by Ordinance or otherwise.

On motion of Mr. DeTreville, the resolution was amended by striking out all after the word "Resolved," and inserting the following: "That it be referred to the Committee on the Constitution to enquire and report on the expediency of appointing forthwith a Council to consist of —— citizens of the State, to act with the Governor of the

State, as his counsellors and advisers, and to be called a Council of Safety."

On motion of Mr. DeTreville, the resolution, as amended, was agreed to.

On motion of Mr. Adams, the Convention went into

### SECRET SESSION.

Mr. Harllee offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That a Committee of three be appointed to wait upon his Excellency the Governor, for the purpose of ascertaining if there be any information in his possession which requires this Convention to advise with him in secret session, or suggest any course for him to pursue, other than the exercise of his own discretion in the present state of affairs.

Whereupon the President appointed Messrs. Harllee, Orr and Chestnut, of the Committee.

Mr. Miles, from the Committee on Foreign Relations, presented the following report :

The Committee on Foreign Relations, to whom were referred certain resolutions touching the appointment of Commissioners, to treat with the United States, concerning the property of the latter in South Carolina, and other matters, beg leave respectfully to report :

That they have duly considered the subjects submitted to them, and recommend the immediate adoption of the following resolution :

*Resolved*, That three Commissioners, to be elected by ballot of this Convention, be directed forthwith to proceed to Washington, authorized and empowered to treat with the Government of the United States for the delivery of the forts, magazines, light-houses, and other real estate, with their appurtenances, within the limits of South Carolina, and also for an apportionment of the public debt and for a division of all other property held by the Government of the United States, as agent of the Confederate States, of which South Carolina was recently a member; and generally to negotiate as to all other measures and arrangements proper to be made and adopted in the existing relations of the parties, and for the continuance of peace and amity between this Commonwealth and the Government at Washington.



Mr. Barnwell offered the following amendment, which, on motion of Mr. Reed, was ordered to lie on the table :

*Resolved*, That James Chesnut, Jr., W. P. Miles, L. M. Keitt and William H. Trescot, be appointed Commissioners of this Convention, with instructions to proceed forthwith to Washington, to lay the Ordinance of Secession before the Federal Government, and to treat with that Government concerning the property claimed by it within this State, and any other right affected by the act of secession.

Mr. Maxey Gregg offered the following amendment :

*Resolved*, That three Commissioners, to be elected by ballot of this Convention, be directed forthwith to proceed to Washington, authorized and empowered to present to the President of the Confederacy, from which the State of South Carolina has now withdrawn, a copy of the Ordinance adopted by this Convention on the twentieth day of the present month, and to demand of him the immediate withdrawal from the territory of South Carolina, of the military and naval forces now there under his command, and the immediate delivery of the forts, with their armaments, and of the other buildings and lands heretofore held by the Government of the United States within the territory of South Carolina; and also to offer to treat, on the part of the State of South Carolina, concerning an equitable division of the public property of the late Confederacy and apportionment of the public debt and arrangement of postal affairs, and concerning any other measures which may be proper to be adopted for the preservation of peace and amity between this Commonwealth and the Government at Washington.

Mr. Gregg withdrew his amendment.

The report of the Committee was agreed to.

Mr. Harlee, from the Committee appointed to wait upon his Excellency the Governor, reported that they had discharged that duty, and that his Excellency was not in possession of information, making it necessary for him to communicate with the Convention in Secret Session.

On motion of Mr. Gist, the doors of the Hall were thrown open.

On motion of Mr. Buchanan, it was ordered, that when the Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

On motion of Mr. J. I. Middleton, leave of absence, till Monday next, was granted to Mr. Appleby.

On motion of Mr. Inglis, business was suspended at fifty-five minutes past three o'clock, P. M., until seven o'clock, P. M.

## RECESS.

The President resumed the chair.

The President laid before the Convention the following communication, which was received as information, and was left in the possession of the President:

CHARLESTON HOTEL, December 21, 1860.

Hon. D. F. JAMISON,

*President of the South Carolina Convention,  
now sitting in Charleston:*

DEAR SIR: I have the honor to lay before you, for information, a despatch, just received by me, from his Excellency, John J. Pettus, Governor of Mississippi, in which he informs me that in Hinds County, where the most formidable opposition, or coöperation, ticket in the State was organized, those in favor of separate State action have succeeded by a majority of three hundred; and that we have the State Convention by a majority of *four to one*.

I have the honor to enclose the despatch, to be disposed of at your pleasure.

Very respectfully, your obedient servant,

C. E. HOOKER.

The despatch referred to is as follows:

To Hon. C. E. HOOKER, Commissioner:

Hinds County three hundred majority for prompt secession. Our majority in Convention four to one.

JOHN J. PETTUS.

Mr. Adams, from the Committee appointed to count the ballots cast for three Commissioners to Washington, reported that one hundred and sixty-four (164) ballots were cast, with the following result:

Mr. W. P. Miles received 22 votes; R. W. Barnwell, 104; L. M. Keitt, 4; C. G. Memminger, 38; T. J. Withers, 44; J. H. Adams, 21; A. G. Magrath, 69; I. W. Hayne, 1; J. S. Preston, 23; J. P.

Carroll, 4; J. L. Orr, 59; Wm. H. Trescot, 34; R. B. Rhett, 10; J. Chesnut, Jr., 29; D. L. Wardlaw, 9; W. P. Finley, 3; J. L. Manning, 1; W. F. DeSaussure, 2; Maxey Gregg, 6; John McQueen, 1; W. H. Gist, 1; John A. Inglis, 4; I. D. Wilson, 1; W. W. Harlee, 1; B. F. Dunkin, 2; J. P. Richardsqn, 1; J. Townsend, 1. Eighty-three being a majority, R. W. Barnwell only, is elected.

On motion of Mr. DeTreville, the Convention proceeded to a second ballot for Commissioners to Washington.

Mr. Memminger, from the Committee appointed to prepare a declaration of the causes which justify the secession of South Carolina from the Federal Union, made a report, which, on motion of Mr. Dargan, was made the special order of the day for to-morrow, at one o'clock, P. M.; and was ordered to be printed.

Mr. Atkinson, from the Committee appointed to count the ballots cast on the second ballot for Commissioners to the Federal Government at Washington, reported that no one had received a majority of the ballots cast, and that, consequently, there was no election.

The Convention proceeded to a third ballot for Commissioners to the Federal Government at Washington.

On motion of Mr. Bobo, leave of absence, till Wednesday next, was granted to Mr. Carlisle, on account of the illness of his family.

On motion of Mr. Dunkin, the following Ordinance, together with the amendments thereto, was taken up from the table:

*Be it ordained by the People of South Carolina, by their Delegates in Convention assembled,*

That until otherwise provided, the Governor shall be authorized to appoint Collectors and other officers connected with the customs for the several ports within the State of South Carolina, and also, all Post Masters within the said State; and that until such appointment shall have been made, the persons now charged with the duties of the said several offices shall continue to discharge the same, keeping an account of the moneys received and disbursed by them respectively.

On motion of Mr. Dunkin, the Ordinance, together with the amendments, was referred to the Committee on Commercial Relations and Postal Arrangements.

Mr. Cheves offered the following Ordinance, which, on motion of Mr. Cheves, was referred to the Committee on Commercial Relations and Postal Arrangements, and was ordered to be printed:

Whereas, the Federal Government of the United States of America, has, from time to time, with the consent of this State, created certain offices of profit and trust, as well within as without the limits of this State :

And whereas, divers persons, as well citizens of this State as others, have, with the consent of this State, and by the appointment of the said Federal Government of the United States of America, undertaken the execution of the functions of the said offices, and become bound by official oaths and heavy penalties, to the Federal Government aforesaid, for the performance of the same ;

And whereas, the sudden arrest of the functions of the said offices would work great inconvenience to the citizens of this State, and grievous hardship to the persons bound as aforesaid ;

Wherefore, for the convenience of this State and for the relief of said persons,

*Be it ordained, and by the People of the State of South Carolina, in Convention assembled, it is ordained,*

That all persons who were in occupation of any office of profit or trust under the Government of the United States of America, immediately previous to the adoption of the Ordinance of Secession, shall continue to exercise the functions of the same, in like manner and form precisely as before the adoption of said Ordinance, until otherwise ordered. And that all Laws of the Federal Government of the United States of America, which shall have been abrogated by virtue of said Ordinance, are hereby declared in full force and effect for the purposes aforesaid, and no other.

*And be it further ordained,* That the operation of this Ordinance may be, at any time, suspended by the Governor of this State, at his discretion. And that the General Assembly of this State is authorized and empowered to repeal the same whensoever it shall be by them deemed expedient.

Mr. Reed offered the following resolution, which, on motion of Mr. Means, was ordered to lie on the table :

*Resolved,* That when this Convention adjourns, it shall be adjourned to meet on Tuesday, the fifteenth day of January next, at twelve o'clock, M.

Mr. John Izard Middleton offered the following resolutions, which



were referred to the Committee on Commercial Relations and Postal Arrangements :

*Resolved*, That until the General Assembly shall otherwise determine, all goods, wares and merchandize imported into this Commonwealth, be subjected to a rate of duties amounting to one-half of that exacted by the late Government of the United States, excepting all goods, wares and merchandize imported from any of the slaveholding States of this Continent, at amity with this Commonwealth, the products of which shall be free of all duties.

*Resolved*, That until the General Assembly shall otherwise provide, duties on the tonnage of all vessels resorting to the ports of this Commonwealth, shall be at the rates heretofore exacted by the late Government of the United States.

On motion of Mr. Mazyck, the following resolution was taken up :

*Resolved*, That a Committee, to consist of ——— members, be appointed, whose duty it shall be to inquire and report to this Convention how much of the legislation of Congress would be *ipso facto* abrogated, so far as this State is concerned, by the secession of the State from the Federal Union, and how much of it might remain of force, notwithstanding the act of secession.

On motion of Mr. Mazyck, the blank was filled with the number thirteen, and the resolution, as amended, was agreed to.

Mr. John Izard Middleton offered the following Ordinance, which, on motion of Mr. Chesnut, was ordered to lie on the table :

*Be it ordained, by the People of the State of South Carolina, now met and sitting in Convention,*

That all citizens of South Carolina in the naval and military service of the United States who have, in consequence of the present aspect of political affairs, resigned their commissions, or who may, for that cause, resign their commissions within the term of ——— months, shall be entitled to and shall be placed in the same grade in the service of the Commonwealth of South Carolina, with that which they relinquish, and shall receive, respectively, the pay and emoluments attached to their grade in the late United States service, subject, in all cases, to such enactments in relation to naval and military affairs as may be passed by the General Assembly.



Mr. Barron, from the Committee appointed to count the ballots cast on the third ballot for Commissioners to the Federal Government at Washington, reported that Messrs. James H. Adams and James L. Orr had received a majority of the ballots cast. Whereupon, the President announced that Messrs. R. W. Barnwell, James H. Adams, and James L. Orr, are duly elected Commissioners to the Federal Government at Washington.

On motion of Mr. Bobo, the Convention was adjourned at five minutes past ten o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## SATURDAY, DECEMBER 22, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. John G. Landrum.

The Clerk called the roll, and the following delegates answered to their names :

Messrs. Adams,  
Allison,  
Atkinson,  
Ayer,  
Barnwell,  
Barron,  
Barton,  
Beaty,  
Bellinger,  
Bethea,  
Bobo,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Buchanan,  
Burnet,

Messrs. Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Curtis,  
Dargan,  
Davant,

Messrs. Davis,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,

Messrs. Inglis,  
Ingram,  
Jackson,  
Jeffries,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McCrary,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyek,  
Means,  
Memminger,  
Middleton, J. I.  
Middleton, W.  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,

Messrs. Parker,  
 Perrin,  
 Pope,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Rutledge,  
 Scott,  
 Seabrook, E. M.  
 Seabrook, G. W., Sr.  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith,

Messrs. Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wannauaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

The President announced the following gentlemen as the Committee to inquire how much of the legislation of Congress would be abrogated by the secession of the State from the Federal Union :

Messrs. Alexander Mazyek,  
 H. C. Davis,  
 B. B. Foster,  
 T. M. Hanckel,  
 B. F. Kilgore,  
 J. Maxwell,  
 R. Moorman,  
 J. S. Palmer,  
 W. P. Shingler,  
 A. B. Springs,

Messrs. J. Tompkins,  
S. Bobo,  
H. I. Caughman.

The President laid before the Convention the following communication :

CHARLESTON, December 21, 1860.

*Honorable the President and Delegates*

*of the Commonwealth of South Carolina :*

GENTLEMEN : The Commissioners of the Orphan House have instructed me to invite you to visit the Institution of the Orphan House in this city, whenever it may suit your convenience to do so, individually or as a body.

The House will be at all times open for your inspection.

Respectfully,

H. A. DESAÛSSURE,  
*Chairman of Commissioners of Orphan House.*

On motion, the communication was received as information, and the invitation was accepted.

Mr. Means offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Commissioners to the Federal Government at Washington be authorized to appoint a Secretary, if necessary.

Mr. Gadberry offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee on the Constitution, to inquire whether the powers heretofore delegated to the Federal Government by this State, and resumed by the Ordinance of Secession, may not be properly bestowed upon the Legislature of this State; and if so, to report to this Convention an Ordinance for that purpose.

Mr. DeSaussure, from the Committee on the Address to the People of the Southern States, made a report on the Address of a portion of the members of the General Assembly of Georgia; which, on motion of Mr. Withers, was ordered to lie on the table, and to be printed.

Mr. Miles offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the traveling expenses of our Commissioners to Washington be paid, and that they receive ten dollars each, *per diem*, for their personal expenses during the time they may be employed in the discharge of the duties of their mission.

Mr. Hayne offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the resolution, adopted in secret session, for the appointment of Commissioners to the Government of the United States, be committed to C. D. Melton, Esq., one of the Solicitors of the State, for the purpose of preparing commissions for the Commissioners elected by this body—the said C. D. Melton being first sworn to secrecy.

Mr. Simons offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That there be added to the Standing Committees of this Convention an Engrossing Committee, to consist of three members, to be appointed by the President.

Mr. Miles offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the injunction of secrecy be removed as to yesterday's proceedings, and that the report of the Committee on Foreign Relations be printed with the journal of this day.

On motion of Mr. Magrath, the Convention went into

#### SECRET SESSION.

Mr. Magrath, from the Committee to whom had been referred so much of the message of the President of the United States as relates to the property of the United States within the limits of South Carolina, made the following

#### REPORT :

The Committee to whom was referred so much of the message of the President of the United States as relates to the property of the United States, within the limits of South Carolina, ask leave to report, that the several matters embraced in the resolution, will require, necessarily, some delay in obtaining the information proper for the Convention. From



Mr. Colcock, who filled the office of Collector at the port of Charleston, they have received all the information which they desired in relation to that portion of the property of the United States, within the limits of this State, which was under his control. This information is embraced in a paper annexed to this report. In addition to it, Mr. Colcock has kindly furnished information of the Light Houses within this Collection District, which will also be found in a paper annexed to this report.

From the information which this Committee has received, it can further report, that in the waters of South Carolina, are two forts: one known as Fort Sumter, the other known as Castle Pinckney. Within the limits of the State, situate on Moultrieville, is another fort, known as Fort Moultrie; and within the corporate limits of the City of Charleston, is the Arsenal, owned by the United States, and used as a depot for arms, ammunition and equipment.

The purposes for which these places, last referred to, were acquired, this Committee can only undertake to report, when, from the grants, deeds or other modes in which they have been obtained, a recital of the same will serve the purpose of affording exact information.

A further direction to the Committee was to enquire and report, whether the continued possession of these places, now referred to, after the secession of the State, is, or not, consistent with its safety and honor.

In the opinion of the Committee, such possession, by the United States, is not consistent either with the honor or safety of the State.

While the State of South Carolina was one of the Confederation known as the United States, the purpose of the three forts was, under the orders of the General Government of the United States, and in the discharge of its obligation to provide for the common defence, to repel invasion. An attack upon South Carolina was an attack upon the United States.

But no purpose of common defence can now be urged for the retention of that possession of these places, which the General Government has heretofore enjoyed. The obligation of a common defence no longer binds the State of South Carolina to the surrender of her soil, the control of her waters, or the possession of places within her territorial limits, and in which neither the process of her Courts, nor the laws she enacts, will be permitted to operate.

Regarding, therefore, the possession of these forts by the General Government of the United States, as no longer required by a regard for the common defence of the United States; and that, in the separate

and independent condition of South Carolina, such possession would indicate the assertion of a right to control, within the limits of the State, by a power now, in all its relations, foreign; and that such possession by the Government of the United States, under such circumstances, would be inconsistent with the safety and honor of the State, the Committee recommend the adoption of the following resolution:

*Resolved*, That Fort Moultrie, Fort Sumter, Castle Pinckney, and the land and buildings within the limits of the City of Charleston, known as the Arsenal, should be subject to the authority and control of the State of South Carolina, and that the possession of the said forts and arsenal should be restored to the State of South Carolina.

On motion of Mr. Magrath, the report was ordered to lie on the table; and the resolution was taken up for consideration.

Mr. A. H. Brown offered the following amendment, as an additional clause:

“And that the Commissioners be further instructed to declare that South Carolina will not regard with indifference any attempt on the part of the Federal Government further to fortify or garrison the forts located within its limits.”

Mr. Hutson offered the following amendment:

“All the land within the limits of the State of South Carolina, now in the actual or constructive possession of the United States.”

Mr. ——— offered the following amendment:

*Resolved*, That our Commissioners to Washington should demand the speedy delivery to the State of South Carolina of the ungarrisoned fortifications—Castle Pinckney and Fort Sumter—as essential to the security of Charleston; consistent with the dignity of the State, and as the most effectual means of preserving peace and amity between this Commonwealth and the Government at Washington.

*Resolved*, That they should demand the withdrawal of the United States troops, now in Fort Moultrie, at the earliest practicable period, and the delivery of that fort immediately thereafter to the authorities of South Carolina.

*Resolved*, That the Commissioners should not await an answer to these demands longer than the ——— day of January, 1861—but upon

the expiration of the above period, or in case of refusal of the above demands, or refusal to receive or treat with the Commissioners, that the said Commissioners return immediately home and report the result of their mission to this Convention.

*Resolved*, That upon the acquiescence of the Government at Washington, in the above mentioned demands, and the receipt of intelligence from the Governor of South Carolina that Fort Sumter and Castle Pinckney are in the possession of the authorities of the State, that the Commissioners do then, and not before, proceed to treat and negotiate touching all other matters and things committed to them by the resolution of the Convention creating the Commission.

Mr. D. L. Wardlaw offered the following resolution as an additional clause to the resolution reported by the Committee:

*Resolved*, That our Commissioners, being fully possessed of this resolution, and of the opinions of this Convention in reference to troops in the harbor of Charleston, be left to the exercise of their sound discretion in negotiating with the United States.

Mr. Cheves offered the following amendment:

*Resolved*, That it is the sense of this Convention that it is not consistent with the dignity of this State that her Commissioners should remain at Washington later than the fifteenth day of January next, unless before that time Fort Sumter and Castle Pinckney shall have been restored to the authorities of this State.

Mr. F. D. Richardson offered the following amendment:

1. *Resolved*, That it is the opinion of this Convention that the garrisoning of Fort Sumter and Castle Pinckney, or the further mounting of guns on either fortification, must be regarded, at this time, as an overt act of hostility.

2. *Resolved*, That the Governor of this State be requested to exercise the utmost vigilance and use every means at his command, to intercept and prevent the garrisoning of said fortresses or mounting of guns thereon.

3. *Resolved*, That the Governor be requested to ascertain, if it be practicable, and report to this Convention, whether any and what changes have been recently made in all the fortifications in the harbor

of Charleston, and whether the work of fortifying them is still progressing.

On motion, all the amendments proposed were ordered to lie on the table; and the resolution reported by the Committee was agreed to.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made a report, and reported an Ordinance to make provisional Postal Arrangements in South Carolina; which was considered immediately, was agreed to, was ordered to be engrossed, and to be signed by the President and the Clerk.

On motion of Mr. Dunkin, the injunction of secrecy was removed in relation to the action of the Convention on the Ordinance to make provisional Postal Arrangements in South Carolina.

Mr. Dunkin presented the following

#### REPORT:

The Committee on Commercial Relations and Postal Arrangements beg leave to report, that they have considered the various matters referred to them, in relation to the Customs, and the officers charged with the collection of the same, and other officers or agents in any manner connected with the same, and they submit an Ordinance for a provisional arrangement thereof.

The Committee, regarding the Ordinance now submitted as merely provisional, have not deemed it expedient or necessary, at this time, to provide for the contingency, that an Act of Congress may hereafter be passed, imposing duties on goods, wares and merchandize passing into any of the United States from this State.

#### AN ORDINANCE

To provide for the continuance of Commercial facilities in South Carolina:

*We, the People of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That all citizens of this State, now holding office, connected with the Customs, under the Government of the United States, within the limits of South Carolina, be, and they are hereby, appointed to hold, under the Government of this State, the same offices they now fill, until otherwise directed, and to receive the same pay and emoluments for their services.



*And it is further ordained,* That in case of the resignation of either of them, the Governor is empowered to supply the vacancy; and such officers are hereby authorized, until otherwise instructed, to collect duties on imports at the rates now existing in the United States of North America; and they are hereby directed to hold the same, subject to the further action of this body; saving and excepting, however, that no duties shall be collected upon goods, wares, merchandize and products imported direct from any of the States forming the late Federal Union, known as the United States of North America.

*And be it further ordained,* That the officers aforesaid shall retain in their hands all property of the United States in their possession, custody and control, subject to the disposal of this State, who will account for the same, upon a final settlement with the Government of the United States.

Mr. Wagner presented the following

#### REPORT:

The undersigned, the Minority of the Committee on Commercial Relations and Postal Arrangements, feel constrained to differ from the views expressed by the majority, and beg leave to recommend for the consideration of the Convention the following Ordinance.

(Signed)

THEODORE D. WAGNER,  
JOHN JENKINS.

#### AN ORDINANCE

To provide for the continuance of Commercial Relations in South Carolina:

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That, until otherwise provided for by the General Assembly, the importation of merchandize into this State shall be free and unrestricted; and it shall be the duty of the Governor to make such temporary regulations as may be requisite concerning the entry and clearance of vessels, and to appoint such officers as may be needed for the purpose; and it shall be the duty of the General Assembly to provide proper compensation for all officers whose appointment is required by this Ordinance.



On motion of Mr. Pope, the Majority and Minority Reports, together with the Ordinances recommended, were made the special order of the day for Monday next, at one o'clock, P. M., and were ordered to be printed.

On motion of Mr. Miles, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet on Monday next, at twelve o'clock, M.

On motion of Mr. Miles, the Convention was adjourned.

B. F. ARTHUR,  
*Clerk of the Convention.*

## REPORT OF THE COMMITTEE ON FOREIGN RELATIONS.

The Committee on Foreign Relations, to whom was referred certain resolutions touching the appointment of Commissioners, to treat with the United States concerning the property of the latter in South Carolina, and other matters, beg leave respectfully to

## REPORT:

That they have duly considered the subjects submitted to them, and recommend the immediate adoption of the following resolution :

*Resolved*, That three Commissioners, to be elected by ballot of this Convention, be directed forthwith to proceed to Washington, authorized and empowered to treat with the Government of the United States for the delivery of the Forts, Magazines, Light-Houses, and other real estate, with their appurtenances, within the limits of South Carolina, and also for an apportionment of the public debt, and for a division of all other property, held by the Government of the United States, as agent of the Confederate States, of which South Carolina was recently a member; and, generally, to negotiate as to all other measures and arrangements proper to be made and adopted, in the existing relation of the parties, and for the continuance of peace and amity between this Commonwealth and the Government at Washington.

All of which is respectfully submitted,

WM. PORCHER MILES, *Chairman*.

## MONDAY, DECEMBER 24, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. M. Timmons.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Atkinson,

Ayer,

Barron,

Barton,

Beaty,

Bellinger,

Bethea,

Bobo,

Bouneau,

Brabham,

Brown, A. H.

Brown, C. P.

Burnet,

Cain,

Caldwell,

Calhoun,

Campbell,

Carn,

Carroll,

Caughman,

Cauthen,

Charles,

Chesnut,

Cheves,

Clarke,

Conner,

Crawford,

Dargan,

Davis,

DeSaussure,

Messrs. DeTreville,

Dunkin,

Dunovant, R. G. M.

DuPre,

Easley,

Ellis,

English,

Evans,

Fair,

Finley,

Flud,

Forster,

Foster,

Frampton,

Furman,

Gadberry,

Garlington,

Geiger,

Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Gregg, William

Grisham,

Hammond,

Hanckel,

Harlee,

Harrison,

Hayne,

Henderson,

Messrs. Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manning,  
Mauldin,  
Maxwell,  
Mazyck,  
Means,  
Memminger,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Parker,

Messrs. Perrin,  
Pope,  
Porcher,  
Pressley,  
Quattlebaum,  
Raineey,  
Reed,  
Rhett,  
Richardson, F. D.  
Richardson, J. P.  
Robinson,  
Rowell,  
Rutledge,  
Scott,  
Seabrook, G. W., Sr.  
Sessions,  
Shingler, W. P.  
Simpson,  
Sims,  
Smith,  
Smyley,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Whitner,  
Wier,  
Williams,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.

Messrs. Withers,  
Woods,

Young.

The journal of Saturday's proceedings was read.

The President announced the following as the Engrossing Committee :

Messrs. T. Y. Simons,  
S. Fair,  
H. McIver.

Mr. Lyles offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Honorable M. S. Perry, Governor of the State of Florida, now in the City of Charleston, be, and he is hereby, invited to a seat on the floor of the Convention.

Mr. DeSaussure presented the account of E. R. Stokes, for putting the Baptist Church in Columbia in condition for receiving the Convention ; which, on motion of Mr. Maxey Gregg, was ordered to lie on the table.

Mr. Quattlebaum offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, That the accounts of the Printers for this Convention be audited by the Comptroller General, allowing them the rates designated in the resolution conferring upon them their appointment ; and that the said accounts, when so audited, be paid by the Treasurer of the Lower Division.

*Resolved*, That immediately after the Convention shall have terminated its present session in Charleston, the several Ordinances adopted by it, together with the journal of its public proceedings, be printed in pamphlet form ; and that five hundred copies be struck off, for the use of the Convention, to be disposed of under the direction of the President.

Mr. Pressley offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That a Committee on Accounts, to consist of five members, be appointed by the President.



Mr. Caughman offered the following resolution, which was considered immediately, and was referred to the Committee on Printing :

*Resolved, That* ——— copies of the Ordinance of Secession and the signatures thereto, be photographed for the use of the members of the Convention.

Mr. Magrath offered the following Ordinance, which was considered immediately, and was referred to the Committee on the Constitution of the State, and was ordered to be printed :

*We, the People of the State of South Carolina, in Convention assembled; do declare and ordain, and it is hereby declared and ordained,*

That until otherwise provided for by the General Assembly of the State of South Carolina, the Judges of the Courts of Law in this State shall have and take cognizance of all cases of admiralty and maritime jurisdiction. And that the said Judges shall further have jurisdiction of all offences under the laws of the United States relating to the Post Office Department, the Public Customs, Seamen, and offences upon the high seas. That the laws of the United States, which were in operation at the time of the secession of this State, in relation to these several offences, be and are hereby retained as parts of the laws of this State, until otherwise provided for by the General Assembly of the State; saving and excepting therefrom so much as relates to the Courts in which such offences shall be tried. That the said Judges shall have power to appoint such officers under them as may be necessary for the proper discharge of the duties herein provided. And that in such cases as have been tried by a jury, the trial shall be by a jury according to the mode of force in this State in relation thereto. And in cases in the admiralty and maritime jurisdiction, in which the trial by jury has not been established, the forms and modes of proceeding shall be such as have been heretofore in use in Courts within this State, having cognizance of such cases.

On motion of Mr. D. L. Wardlaw, Mr. Magrath was added to the Committee on the Constitution of the State.

On motion of Mr. Rhett, the Convention proceeded to the consideration of the Address of the People of South Carolina, assembled in Convention, to the People of the Slaveholding States of the United States.

Mr. Dargan moved that the Address, together with the Declaration of the Causes which justify the secession of South Carolina from the Federal Union, be recommitted to a Special Committee, to be composed of the Committee on the Address, and the Committee on the Declaration; which motion was not agreed to.

### SPECIAL ORDER.

On motion of Mr. Dunkin, the Convention proceeded to the consideration of the Report of the Committee on Commercial Relations and Postal Arrangements, and the Report of the Minority of the same Committee; which had been made the special order of the day for this day, at one o'clock, P. M.

On motion of Mr. Harlee, the special order was discharged for thirty minutes.

The Convention resumed the consideration of the Address to the People of the Slaveholding States.

After some time passed in the consideration thereof, the Address was adopted.

The Convention proceeded to the consideration of the Declaration of the Causes which justify the secession of South Carolina from the Federal Union.

Mr. Maxcy Gregg moved that the Declaration be ordered to lie on the table; and the question being put, will the Convention agree thereto? it was decided in the negative:

Yeas, 31; nays, 124.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Atkinson,

Ayer,

Bonneau,

Burnet,

Cain,

Calhoun,

Carroll,

Davis,

DeSaussure,

DuPre,

Flud,

Messrs. Furman,

Gist,

Gourdin, T. L.

Gregg, Maxcy

Kilgore,

Kinsler,

Logan,

Lyles,

Manigault,

Maxwell,

Mazyck,

Messrs. Noble,  
Palmer,  
Parker,  
Smith,  
Snowden,

Messrs. Spain,  
Timmons,  
Tumpkins,  
Wilson, J. H.

Those who voted in the negative, are

Hon. D. F. JAMISON, President ; and

Messrs. Allison,  
Barron,  
Barton,  
Beatty,  
Bellinger,  
Bethen,  
Bibo,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Caldwell,  
Campbell,  
Carn,  
Carghman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Curtis,  
Dargan,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
Easley,  
Ellis,  
Evans,

Messrs. Fair,  
Finley,  
Forster,  
Foster,  
Frampton,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gregg, William  
Grisham,  
Hammond,  
Hancock,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Ingles,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Jenkins, John  
Johnson,  
Keitt,

Messrs. Kershaw,	Messrs. Robinson,
Kinard,	Rowell,
Landrum,	Rutledge,
Lawton,	Scott,
Lewis,	Seabrook, E. M.
McCrary,	Seabrook, G. W., Sr.,
McIver,	Sessions,
McKee,	Shingler, J. M.
McLeod,	Simons,
Magrath,	Simpson,
Manning,	Sims,
Mauldin,	Smyly,
Means,	Springs,
Memminger,	Stokes,
Middleton, John Izard	Thompson, R. A.
Middleton, Williams.	Thomson, Thomas
Miles,	Townsend,
Moore,	Wagner,
Moorman,	Wannamaker,
Nowell,	Wardlaw, D. L.
O'Hear,	Wardlaw, F. H.
Perrin,	Watts,
Pope,	Whitner,
Porcher,	Wier,
Pressley,	Williams,
Quattlebaum,	Wilson, I. D.
Rainey,	Wilson, W. B.
Reed,	Withers,
Rhodes,	Woods,
Richardson, F. D.	Young.
Richardson, J. P.	

So the motion was not agreed to.

After sundry amendments, the Declaration was adopted, and was committed to the Engrossing Committee.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made a report, and reported "an Ordinance to alter the Constitution of the State of South Carolina, in respect to the Executive Department;" which was ordered for consideration to-morrow, and to be printed.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, reported an Ordinance to alter the Constitution of the State of South Carolina, by striking out certain words in sundry places; which was ordered for consideration to-morrow, and to be printed.

On motion of Mr. E. M. Seabrook, leave of absence for a few days was granted to Mr. Davant, on account of sickness.

On motion of Mr. Cheves, business was suspended at twenty-five minutes past four o'clock, P. M., until seven o'clock, P. M.

#### RECESS.

When the President resumed the chair,

On motion of Mr. Dunkin, an Ordinance to make provisional Postal Arrangements in South Carolina, was committed to the Engrossing Committee.

On motion of Mr. Dunkin, the Convention went into

#### SECRET SESSION.

The Convention proceeded to the consideration of the Report of the Majority, and the Report of the Minority, of the Committee on Commercial Relations and Postal Arrangements, in relation to the Customs; and pending the consideration thereof, the Convention was adjourned to meet to-morrow, at eleven o'clock, A. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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TUESDAY, DECEMBER 25, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. John J. Wannamaker.

The Clerk called the roll, and the following Delegates answered to their names:

es: rs. Allison,

Atkinson,

Ayer,

Messrs. Barron,

Barton,

Beaty,



Messrs. Bellinger,  
Bethea,  
Bobo,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Burnet,  
Cain,  
Caldwell,  
Calhoun,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Curtis,  
Dargan,  
Davis,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
DuPre,  
Ellis,  
Evans,  
Fair,  
Finley,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,

Messrs. Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McIver,  
McKee,  
McLeod,  
Manigault,

Messrs. Manning,  
 Mauldin,  
 Maxwell,  
 Mazyck,  
 Means,  
 Memminger,  
 Middleton, John Izard  
 Middleton, Williams.  
 Miles,  
 Moore,  
 Moorman,  
 Noble,  
 Nowell,  
 O'Hear,  
 Palmer,  
 Parker,  
 Perrin,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Rutledge,  
 Scott,  
 Seabrook, E. M.  
 Seabrook, G. W., Sr.

Messrs. Sessions,  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Sims,  
 Smith,  
 Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

Mr. Withers presented the report of the Committee on Relations with the Slaveholding States of North America, on the various resolutions referred to them; which, on motion of Mr. Smith, was made the special order of the day for to-morrow, at one o'clock, P. M., and was ordered to be printed.

On motion of Mr. F. H. Wardlaw, leave of absence from and after

to-morrow, until Monday next, was granted to Mr. William Gregg, on account of important business.

The President presented to the Convention the following communication, which was ordered to be entered on the journal, and to be printed :

CHARLESTON, December 24, 1860.

*To the President and Delegates of the Convention*

*of the Independent State of South Carolina :*

GENTLEMEN : I have this moment been informed that you did me the honor, by resolution, to invite me to a seat on the floor of the Convention. I am wanting in language, gentlemen, adequately to express the feelings this very unexpected courtesy at your hands has given rise to. In the whole course of life, now nearing half a century—a life not entirely devoid of incidents calculated to inspire a laudable manly pride—I have never felt so honored as in being privileged to a seat among those who, smarting under wrongs inflicted by the hands of a perverted government, have, with a unanimity and firmness unparalleled, broken the link of union with faithless confederates, and are engaged in the high, laudable, (may I not say) holy purpose of improving a government which shall “confer the greatest liberty consistent with the rights, liberty and happiness of the governed.” I may say to *you*, without subjecting myself to the charge of treason, that I approve of every act of your Convention, in so far as known to me, in every particular. Your Ordinance is in good taste, to the point, and covers the whole ground.

Permit me to assure you, gentlemen, that gallant little Florida will be the next to follow your wise and patriotic lead. Upon the meeting of the Convention, Florida will, as certainly as anything in the future can be certain, wheel immediately into line with the gallant old Palmetto. We are identified with you in interest, in feeling, in determination not to submit to Black Republican rule, and a common destiny must be ours.

I regret exceedingly that urgent official duties, which I may not, in prudence, postpone, will deprive me of the pleasure of availing myself of your kindly courtesy.

With a tender of my sincere thanks, for the honor conferred, I am, gentlemen,

Very respectfully,

Your obedient servant,

M. S. PERRY.

The President announced the following Committee on Accounts :

Messrs. T. Thomson,  
R. T. Allison,  
D. R. Barton,  
J. J. Brabham,  
A. J. Hammond.

Mr. DeSaussure presented the account of P. B. Glass, for stationery furnished to the Convention during its session in Columbia ; which was referred to the Committee on Accounts.

On motion of Mr. DeSaussure, the account of E. R. Stokes was taken up, and was referred to the Committee on Accounts.

Mr. Perrin offered the following resolution, which, on motion of Mr. Rhett, was ordered to lie on the table :

*Resolved*, That this Convention take a recess from and after four o'clock, Wednesday, the 26th inst., until twelve o'clock, M., Wednesday, the 16th day of January next, unless called together at an earlier day by the President.

Mr. Manigault offered the following resolution, which, on motion of Mr. Manigault, was ordered to lie on the table for the present :

*Resolved*, That this Convention hereby instruct the Governor to make, forthwith, all the preparations which may be needed for asserting, by force, the rights and jurisdiction of South Carolina within its territories.

On motion of Mr. Simons, it was

*Ordered*, That the Engrossing Committee be authorized to employ two Clerks.

Mr. Finley offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That copies of the "Ordinance of Secession," adopted by this Convention, and of the "Declaration of the immediate causes which induce and justify the Secession of South Carolina from the Federal Union," and of "The Address of the People of South Carolina assembled in Convention to the People of the Slaveholding States of the United States," be transmitted by the Governor of this State to

the Governors of the Slaveholding States of the United States, for the information of their respective Legislatures or Conventions, where Conventions of the People have been called in any of the said Slaveholding States.

On motion of Mr. Dunkin, the Convention went into

### SECRET SESSION.

The Convention resumed the consideration of the Report of the Majority, and the Report of the Minority, of the Committee on Commercial Relations and Postal Arrangements, in regard to the Customs.

Mr. Maxey Gregg moved that the Ordinance reported by the Minority of the Committee be adopted, and the question being put, will the Convention agree thereto? it passed in the negative:

Yeas, 16; nays, 121.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Brown, C. P.

Burnet,

DuPre,

Gregg, Maxey

Jenkins, John

Kinsler,

Manigault,

Mazyek,

Messrs. Pressley,

Richardson, F. D.

Scott,

Seabrook, G. W., Sr.

Snowden,

Spain,

Spratt,

Wagner.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,

Appleby,

Atkinson,

Ayer,

Barron,

Barton,

Beaty,

Bethea,

Bobo,

Brabham,

Caldwell,

Messrs. Calhoun,

Campbell,

Carn,

Carroll,

Caughman,

Cauthen,

Chesnut,

Cheves,

Clarke,

Comier,

Crawford,



## Messrs. Curtis,

Dargan,

Davis,

DeSaussure,

DeTreville,

Duncan,

Dunkin,

Dunovant, A. Q.

Dunovant, R. G. M.

Ellis,

Evans,

Finley,

Flud,

Forster,

Foster,

Frampton,

Furman,

Gadberry,

Garlington,

Geiger,

Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Grisham,

Hammond,

Hanckel,

Harlee,

Harrison,

Hayne,

Honour,

Hopkins,

Hunter,

Hutson,

Inglis,

Jackson,

Jefferies,

Johnson,

Kershaw,

## Messrs. Kinard,

Landrum,

Lawton,

Lewis,

Logan,

Lyles,

McCrary,

McIver,

McKee,

McLeod,

Magrath,

Mauldin,

Means,

Memminger,

Middleton, John Izard

Middleton, Williams

Miles,

Moore,

Moorman,

Noble,

Nowell,

O'Hear,

Palmer,

Parker,

Perrin,

Porcher,

Quattlebaum,

Rainey,

Reed,

Rhodes,

Richardson, J. P.

Robinson,

Rowell,

Rutledge,

Seabrook, E. M.

Sessions,

Shingler, J. M.

Shingler, W. P.

Simons,

Simpson,

Messrs. Smith,	Messrs. Watts,
Smyley,	Whitner,
Springs,	Wier,
Stokes,	Williams,
Thomson, Thomas	Wilson, J. H.
Timmons,	Wilson, W. B.
Tompkins,	Withers,
Townsend,	Woods,
Wardlaw, D. L.	Young.

So the motion was not agreed to.

Mr. Mazzyck offered the following amendment :

“Provided that such imports shall be the products of the said States.”

Mr. Memminger moved that the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative :

Yeas, 65; nays, 79.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Barron,	Messrs. Dunovant, R. G. M.
Beaty,	Ellis,
Bethca,	Evans,
Bobo,	Foster,
Brabham,	Garlington,
Calhoun,	Geiger,
Carroll,	Gourdin, R. N
Caughman,	Grisham,
Cauthen,	Hammond,
Charles,	Hanckel,
Chesnut,	Harrison,
Conner,	Hayne,
Crawford,	Hunter,
Curtis,	Ingram,
DeSaussure,	Jefferies,
Duncan,	Kershaw,
Dunkin,	Landrum,

Messrs. Lewis,  
 McCrady,  
 Magrath,  
 Manning,  
 Mauldin,  
 Means,  
 Memminger,  
 Nowell,  
 Perrin,  
 Quattlebaum,  
 Reed,  
 Richardson, J. P.  
 Robinson,  
 Rutledge,  
 Sessions,

Messrs. Simons,  
 Smith,  
 Smyly,  
 Springs,  
 Thomson, Thomas  
 Tompkins,  
 Townsend,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers.

Those who voted in the negative, are

Messrs. Allison,  
 Appleby,  
 Atkinson,  
 Ayer,  
 Barton,  
 Bellinger,  
 Brown, C. P.  
 Burnet,  
 Caldwell,  
 Campbell,  
 Carn,  
 Cheves,  
 Clarke,  
 Dargan,  
 Davis,  
 DeTreville,  
 DuPre,  
 Fair,  
 Finley,  
 Flud,  
 Forster,  
 Furman,  
 Gist,

Messrs. Glover,  
 Goodwin,  
 Gourdin, T. L.  
 Gregg, Maxey  
 Harlee,  
 Honour,  
 Hopkins,  
 Hutson,  
 Inglis,  
 Jackson,  
 Jenkins, John  
 Johnson,  
 Keitt,  
 Kilgore,  
 Kinard,  
 Kinsler,  
 Lawton,  
 Logan,  
 Lyles,  
 McIver,  
 McKee,  
 McLeod,  
 Manigault,

Messrs. Maxwell,  
 Mazyck,  
 Middleton, John Izard  
 Middleton, Williams  
 Miles,  
 Moore,  
 Moorman,  
 Noble,  
 O'Hear,  
 Palmer,  
 Parker,  
 Porcher,  
 Pressley,  
 Rainey,  
 Rhodes,  
 Richardson, F. D.  
 Rowell,

Messrs. Scott,  
 Seabrook, E. M.  
 Seabrook, G. W., Sr.  
 Shingler, J. M.  
 Shingler, W. P.  
 Simpson,  
 Snowden,  
 Spain,  
 Spratt,  
 Stokes,  
 Timmons,  
 Wagner,  
 Wier,  
 Williams,  
 Woods,  
 Young.

So the motion was not agreed to.

Mr. Rutledge offered the following amendment :

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That all citizens of this State who, at the date of the Ordinance of Secession, were holding office connected with the Customs, under the Government of the United States, within the limits of South Carolina, be, and they are hereby, appointed to hold under the Government of this State, exclusive of any further connection whatever with the Federal Government of the United States, the same offices they now fill until otherwise directed, and to receive the same pay and emoluments for their services.

That until this Convention, or the General Assembly, shall otherwise provide, the Governor shall appoint to all vacancies which may occur in such offices.

That until otherwise provided by this Convention, or the General Assembly, the Revenue, Collection and Navigation Laws of the United States, so far as they may be applicable, be, and they are hereby, adopted and made the laws of this State, saving that no duties shall be collected upon imports from the States forming the late Federal Union, known as the United States of America, nor upon the tonnage of vessels

owned in whole or in part by the citizens of the said States; and saving and excepting the Act of Congress adopted the third day of March, 1817, entitled "An Act authorizing the deposit of papers of foreign vessels with the consuls of their respective nations;" which said Act is hereby declared to be of no force within the limits of this State.

That all moneys hereafter collected by any of the officers aforesaid shall, after deducting the sums necessary for the compensation of officers and other expenses, be paid into the Treasury of the State of South Carolina, for the use of the said State, subject to the order of this Convention, or the General Assembly.

That the officers aforesaid shall retain in their hands all property of the United States in their possession, custody or control, subject to the disposal of this State, who will account for the same upon a final settlement with the Government of the United States.

On motion of Mr. Cheves, it was

*Resolved*, That fifteen thousand copies be printed of the Address to the Southern States, the Declaration of Causes, and the Report of the Committee on the Address of Members of the General Assembly of Georgia.

On motion of Mr. Memminger, the Convention was adjourned at thirty minutes past ten o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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WEDNESDAY, DECEMBER 26, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. H. Honour.

The Clerk called the roll, and the following Delegates answered to their names:

Messrs. Allison,  
Appleby,  
Atkinson,

Messrs. Barron,  
Barton,  
Beaty,



Messrs. Bellinger,  
Bethea,  
Bobó,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Burnet,  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Curtis,  
Dargan,  
Davis,  
DeTreville,  
Dozier,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,  
Evans,  
Fair,  
Finley,  
Flud,  
Forster,  
Foster,  
Fraampton,

Messrs. Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McIver,  
McKee,

Messrs. McLeod,	Messrs. Seabrook, G. W., Sr.
Magrath,	Sessions,
Mauldin,	Shingler, J. M.
Maxwell,	Shingler, W. P.
Mayes,	Simons,
Mazyck,	Simpson,
Means,	Smith,
Memminger,	Smyly,
Middleton, John Izard	Snowden,
Middleton, Williams	Spain,
Miles,	Spratt,
Moore,	Springs,
Moorman,	Stokes,
Noble,	Thompson, R. A.
Nowell,	Thomson, Thomas
O'Hear,	Timmons,
Palmer,	Tompkins,
Parker,	Townsend,
Perrin,	Wagner,
Porcher,	Wannamaker,
Pressley,	Wardlaw, D. L.
Quattlebaum,	Wardlaw, F. H.
Rainey,	Watts,
Reed,	Whitner,
Rhett,	Wier,
Rhodes,	Williams,
Richardson, F. D.	Wilson, I. D.
Richardson, J. P.	Wilson, J. H.
Robinson,	Wilson, W. B.
Rowell,	Withers,
Rutledge,	Woods,
Scott,	Young.
Seabrook, E. M.	

The journal of yesterday's proceedings was read.

Mr. Spain offered the following resolution, which, on motion of Mr. Inglis, was ordered to lie on the table:

*Resolved*, That the Governor be requested to communicate to this Convention, in secret session, any information he may possess in refer-

ence to the condition of Forts Moultrie and Sumter, and Castle Pinckney; the number of guns mounted and ready for service in each; the number of workmen employed in each, and in what kind of labor; the number of soldiers, sailors and marines in each, and what addition (if any) has been made thereto since the 20th inst.

Also, whether he has any assurance that said forts and castle shall not be reinforced; and if so, from what source these assurances emanated, and what limit as to time and circumstance is attached thereto.

Also, what police or other regulations (if any) he has made in relation to the harbor of Charleston and the coast of the State.

Mr. Gist offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That Hon. J. W. Garrott, a Commissioner from the State of Alabama to the State of North Carolina, be invited to a seat on the floor of the Convention.

On motion of Mr. McIver, leave of absence, on and after this day, until and inclusive of Monday next, was granted to Mr. Inglis, on account of important business.

Mr. A. H. Brown offered the following resolution, which was referred to the Committee on the Constitution of the State, and was ordered to be printed :

*Resolved*, That all citizens of the United States, domiciled within this State at the adoption of the Ordinance of Secession, to wit, the 20th December, 1860, be, and the same are hereby, declared citizens of South Carolina, entitled to all the privileges and subject to all the liabilities incident thereto.

On motion of Mr. Fair, leave of absence from and after this day, until Wednesday next, was granted to Mr. Williams, on account of sickness in his family.

Mr. Kinard offered the following resolution, which, on motion of Mr. Lyles, was ordered to lie on the table :

*Resolved*, That this Convention take a recess from and after four o'clock, Friday, the 28th inst., until two o'clock, P. M., Friday, the 18th day of January next, unless called together at an earlier day by the President.

On motion of Mr. D. L. Wardlaw, the Convention proceeded to the consideration of

An Ordinance to amend the Constitution of the State of South Carolina in respect to the Executive Department (reported by the Committee on the Constitution of the State); and,

An Ordinance to alter the Constitution of the State of South Carolina, by striking out certain words in sundry places (reported by the Committee on the Constitution of the State);

And, on motion of Mr. D. L. Wardlaw, the Ordinances were made the special order of the day for this day, to be taken up as soon as the business now under consideration should have been disposed of.

Mr. Rhett presented the following Ordinance, which, on motion of Mr. Rhett, was made the special order of the day for this day, at one o'clock, P. M., in connection with the Report of the Committee on Relations with the Slaveholding States of North America; and was ordered to be printed:

#### AN ORDINANCE

Recommending and providing for a Convention of the Slaveholding States of the United States, to form the Constitution of a Southern Confederacy.

*Be it ordained*, That this Convention recommends to the Slaveholding States which shall secede from the Union of the United States, and to all other Slaveholding States, prepared to unite with South Carolina in the formation of a Southern Confederacy, to hold a Convention at Montgomery, in the State of Alabama, on the thirteenth day of February next, to agree on the terms of said Confederacy.

*And be it further ordained*, That it be recommended to the said States to appoint, by their respective Conventions or Legislatures, as many delegates to said Convention, to represent them therein, as they have had, or may have, members in the present Congress of the United States; and that, in the said Convention, the said delegates, in forming the said Constitution, shall vote by States.

*And be it further ordained*, That it be recommended to the said States, that after the terms of said Constitution shall be agreed on, in said Convention, the same shall be submitted, at as early a day as practicable, to the Conventions or Legislatures respectively, which have appointed the said delegates, in order that the said Constitution may be considered, and be ratified or rejected by said States.

*And be it further ordained,* That in the opinion of this Convention, the Constitution of the United States should constitute the basis of the Confederation of such States as shall withdraw their connection with the Government of the United States.

*And be it further ordained,* That this Convention shall appoint by ballot eight delegates to represent the State of South Carolina in the Convention proposed, to form the Constitution of the Southern Confederacy, and one Commissioner to each State, which shall call a Convention of her people together, in order that the policy contained in the above Ordinances may be pressed on the consideration of said Conventions.

On motion of Mr. Dunkin, the Convention went into

### SECRET SESSION.

The Convention resumed the consideration of the Report of the Majority, and the Report of the Minority, of the Committee on Commercial Relations and Postal Arrangements, together with the various amendments proposed thereto :

The question being put, will the Convention agree to the amendment offered by Mr. Mazyck ? it passed in the negative :

Yeas, 46 ; nays, 106.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Messrs. Allison,  
Bellinger,  
Bonneau,  
Brown, C. P.  
Caldwell,  
Campbell,  
Carr,  
Clarke,  
Davis,  
DuPre,  
Fair,  
Finley,  
Flud,  
Forster,  
Gist,

Messrs. Gourdin, T. L.  
Gregg, Maxey  
Harlee,  
Henderson,  
Jackson,  
Jenkins, John  
Kinsler,  
Lawton,  
Logau,  
McIver,  
McKee,  
Manigault,  
Mazyck,  
Middleton, J. Izard  
Middleton, W.



Messrs. Miles,  
 Moore,  
 Moorman,  
 Palmer,  
 Porcher,  
 Pressley,  
 Scott,  
 Seabrook, G. W., Sr.

Messrs. Shingler, J. M.  
 Shingler, W. P.  
 Snowden,  
 Spain,  
 Spratt,  
 Williams,  
 Woods,  
 Young.

Those who voted in the negative, are

Hon. D. F. JAMISON, President, and

Messrs. Appleby,  
 Atkinson,  
 Ayer,  
 Barron,  
 Barton,  
 Beaty,  
 Bethea,  
 Bobo,  
 Brabham,  
 Brown, A. H.  
 Burnet,  
 Cain,  
 Calhoun,  
 Carroll,  
 Caughman,  
 Cauthen,  
 Charles,  
 Chesnut,  
 Cheves,  
 Conner,  
 Crawford,  
 Curtis,  
 Dargan,  
 DeSaussure,  
 DeTreville,  
 Duncan,  
 Dunkin,  
 Dunovant, R. G. M.  
 Easley,

Messrs. Ellis,  
 Evans,  
 Foster,  
 Frampton,  
 Furman,  
 Gadberry,  
 Garlington,  
 Geiger,  
 Glover,  
 Goodwin,  
 Gourdin, R. N.  
 Grisham,  
 Hammond,  
 Hanckel,  
 Harrison,  
 Hayne,  
 Honour,  
 Hopkins,  
 Hunter,  
 Hutson,  
 Ingram,  
 Jefferies,  
 Jenkins, J. E.  
 Keitt,  
 Kershaw,  
 Kilgore,  
 Kinard,  
 Landrum,  
 Lewis,

Messrs. Lyles,	Messrs. Sessions,
McCrady,	Simons,
McLeod,	Simpson,
Magrath,	Sims,
Manning,	Smith,
Maxwell,	Smyly,
Mayes,	Springs,
Means,	Stokes,
Memminger,	Thompson, R. A.
Noble,	Thomson, Thomas
Nowell,	Timmons,
O'Hear,	Tompkins,
Parker,	Townsend,
Perrin,	Wannamaker,
Quattlebaum,	Wardlaw, D. L.
Rainey,	Wardlaw, F. H.
Reed,	Watts,
Rhett,	Whitner,
Rhodes,	Wier,
Richardson, F. D.	Wilson, I. D.
Robinson,	Wilson, J. H.
Rowell,	Wilson, W. B.
Rutledge,	Withers.
Seabrook, E. M.	

So the motion was not agreed to.

Mr. Johnson asked to record the vote he would have given, if present, on agreeing to the amendment; and Mr. Johnson being called, answered "No."

Mr. Hutson offered the following amendment, which was agreed to:

That all vessels built in South Carolina or elsewhere, and owned to the amount of one-third by a citizen or citizens of South Carolina, or of any of the slaveholding Commonwealths of North America, and commanded by a citizen thereof, and no other, shall be registered as vessels of South Carolina, under the authority of the Collector and Naval Officer.

Mr. F. D. Richardson offered the following amendment, which was agreed to:

That all the official acts of the officers aforesaid, in which it is

usual and proper to set forth the authority under which they act, or the style of documents issued by them, or any of them, shall be in the name of the State of South Carolina.

Mr. Maxey Gregg offered the following amendment :

“ But no duty shall exceed twenty per cent. on the value of the goods imported.”

Mr. ——— moved that the amendment be ordered to lie on the table ; and the question being put, will the Convention agree thereto ? it passed in the affirmative :

Yeas, 110 ; nays, 34.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President, and

Messrs. Atkinson,

Messrs. Dargan,

Ayer,

Davant,

Barrow,

Davis,

Barton,

DeSaussure,

Beaty,

DeTreville,

Bethea,

Dunkin,

Bobo,

Dunovant, R. G. M.

Brabham,

Easley,

Brown, A. H.

Evans,

Cain,

Finley,

Caldwell,

Foster,

Calhoun,

Frampton,

Campbell,

Furman,

Carn,

Gadberry,

Carroll,

Garlington,

Caughman,

Geiger,

Cauthen,

Glover,

Charles,

Goodwin,

Chesnut,

Gourdin, R. N.

Cheves,

Gourdin, T. L.

Clarke,

Grisham,

Conner,

Hammond,

Crawford,

Hanckel,

Curtis,

Harlee,

Messrs. Harrison,  
 Hayne,  
 Honour,  
 Hopkins,  
 Hunter,  
 Hutson,  
 Ingram,  
 Johnson,  
 Keitt,  
 Kershaw,  
 Kilgore,  
 Kinard,  
 Landrum,  
 Lawton,  
 Logan,  
 McCrady,  
 McLeod,  
 Magrath,  
 Manning,  
 Maxwell,  
 Means,  
 Memminger,  
 Miles,  
 Moorman,  
 Noble,  
 Nowell,  
 O'Hear,  
 Parker,  
 Perrin,  
 Quattlebaum,  
 Rainey,

Messrs. Reed,  
 Rhett,  
 Rhodes,  
 Richardson, J. P.  
 Robinson,  
 Rutledge,  
 Scott,  
 Seabrook, E. M.  
 Sessions,  
 Simons,  
 Simpson,  
 Sims,  
 Smith,  
 Smyly,  
 Springs,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Young.

Those who voted in the negative, are

Messrs. Allison,  
 Bellinger,  
 Bonneau,  
 Brown, C. P.  
 Burnet,  
 DuPro,

Messrs. Ellis,  
 Fair,  
 Flud,  
 Forster,  
 Gist,  
 Gregg, Maxey

Messrs. Henderson,  
 Jenkins, John  
 Jenkins, J. E.  
 Kinsler,  
 McIver,  
 McKee,  
 Manigault,  
 Mazyck,  
 Middleton, J. I.  
 Middleton, W.  
 Moore,

Messrs. Palmer,  
 Pressley,  
 Richardson, F. D.  
 Seabrook, G. W., Sr.  
 Shingler, W. P.  
 Snowden,  
 Spain,  
 Spratt,  
 Stokes,  
 Wagner,  
 Woods.

So the motion was agreed to.

Mr. Maxcy Gregg offered the following amendment :

But the value of all articles subject to duty shall be computed as it was, at the place whence, and the time when, they were exported; and the Revenue Laws of the late Government of the United States are modified in their application accordingly.

Mr. ——— moved that the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative :

Yeas, 117; nays, 31.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President, and

Messrs. Allison,  
 Appleby,  
 Atkinson,  
 Ayer,  
 Barron,  
 Barton,  
 Beaty,  
 Bethea,  
 Bobo,  
 Brabham,  
 Brown, A. H.  
 Burnet,  
 Cain,

Messrs. Caldwell,  
 Campbell,  
 Carroll,  
 Caughman,  
 Cauthen,  
 Chesnut,  
 Cheves,  
 Clarke,  
 Crawford,  
 Curtis,  
 Dargan,  
 Davant,  
 Davis,



Messrs. DeSaussure,

DeTreville,

Duncan,

Dunkin,

Dunovant, R. G. M.

Easley,

Ellis,

Evans,

Finley,

Flud,

Foster,

Frampton,

Furman,

Gadberry,

Garlington,

Geiger,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Grisham,

Hammond,

Hanckel,

Harlee,

Harrison,

Hayne,

Honour,

Hopkins,

Hunter,

Hutson,

Jackson,

Jefferies,

Johnson,

Keitt,

Kershaw,

Kilgore,

Kinard,

Landrum,

Lawton,

Lewis,

Messrs. Lyles,

McCrady,

McLeod,

Magrath,

Manning,

Mayes,

Means,

Memminger,

Miles,

Moorman,

Noble,

Nowell,

O'Hear,

Parker,

Perrin,

Porcher,

Quattlebaum,

Rainey,

Reed,

Rhett,

Rhodes,

Richardson, J. P.

Robinson,

Rowell,

Rutledge,

Scott,

Seabrook, E. M.

Sessions,

Shingler, J. M.

Simpson,

Sims,

Smith,

Smyly,

Springs,

Stokes,

Thompson, R. A.

Thomson, Thomas

Timmons,

Tompkins,

Towusend,

Messrs. Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Whitner,

Messrs. Wier,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Young.

Those who voted in the negative, are

Messrs. Bonneau,  
Brown, C. P.  
DuPre,  
Fair,  
Forster,  
Gist,  
Gregg, Maxcy,  
Henderson,  
Jenkins, John  
Jenkins, J. E.  
Kinsler,  
Logan,  
McIver,  
McKee,  
Manigault,  
Maxwell,

Messrs. Mazyck,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Palmer,  
Pressley,  
Richardson, F. D.  
Seabrook, G. W., Sr.  
Shingler, W. P.  
Snowden,  
Spain,  
Spratt,  
Wagner,  
Williams,  
Woods.

So the motion was agreed to.

Mr. Carroll offered the following amendment :

Whereas, it is due to our late confederates in the political Union, known as the United States of America, as also to the citizens of South Carolina engaged in commerce, that no abrupt or sudden change be made in the rate of duties upon imports into this State; and, whereas, it is not desired by this State to secure any advantage in trade to her own ports, above those of any of the slaveholding States, her late confederates in the said Union; and, whereas, this Ordinance, for the considerations indicated, is designed to be provisional merely :

*Be it, therefore, further ordained,* That this Ordinance shall continue of force until the fifteenth day of February next, and no longer.

On motion of Mr. Withers, the *preamble* of the amendment offered by Mr. Carroll was agreed to.

Mr. Reed moved that all after the ordaining words of the amendment offered by Mr. Carroll, be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative:

Yeas, 90; nays, 61.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Allison,	Messrs. Gadberry,
Appleby,	Garlington,
Atkinson,	Geiger,
Barron,	Glover,
Barton,	Goodwin,
Beaty,	Gourdin, R. N.
Bethea,	Grisham,
Bobo,	Hanckel,
Brown, A. H.	Harrison,
Caldwell,	Henderson,
Calhoun,	Hunter,
Carn,	Hutson,
Caughman,	Ingram,
Cauthen,	Jackson,
Charles,	Jefferies,
Conner,	Johnson,
Crawford,	Kershaw,
Curtis,	Kinard,
Davant,	Landrum,
DeSaussure,	Lawton,
Duncan,	Lewis,
Dunkin,	McCrary,
Dunovant, R. G. M.	Means,
DuPre,	Middleton, John Izard
Easley,	Miles,
Ellis,	Moorman,
Evans,	Noble,
Fair,	Parker,
Finley,	Perrin,
Foster,	Quattlebaum,
Frampton,	Rainey,
Furman,	Reed,

Messrs. Richardson, J. P.  
 Robinson,  
 Rowell,  
 Rutledge,  
 Seabrook, E. M.  
 Seabrook, G. W., Sr.,  
 Sessions,  
 Shingler, W. P.  
 Simpson,  
 Smith,  
 Smyly,  
 Springs,  
 Stokes,

Messrs. Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Young.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and

Messrs. Ayer,  
 Bellinger,  
 Brabham,  
 Brown, C. P.  
 Burnet,  
 Cain,  
 Campbell,  
 Carroll,  
 Chesnut,  
 Cheves,  
 Clarke,  
 Dargan,  
 Davis,  
 DeTreville,  
 Flud,  
 Gist,  
 Gourdin, T. L.  
 Gregg, Maxey  
 Hammond,  
 Harllee,  
 Hayne,  
 Honour,  
 Hopkins,

Messrs. Jenkins, John  
 Jenkins, J. E.  
 Keitt,  
 Kilgore,  
 Kinsler,  
 Logan,  
 Lyles,  
 McIver,  
 McKee,  
 McLeod,  
 Magrath,  
 Manigault,  
 Maxwell,  
 Mayes,  
 Mazyck,  
 Memminger,  
 Middleton, Williams.  
 Moore,  
 Nowell,  
 O'Hear,  
 Porcher,  
 Pressley,  
 Rhett,

Messrs. Rhodes,  
Richardson, F. D.  
Scott,  
Shingler, J. M.  
Simons,  
Snowden,  
Spain,

Messrs. Spratt,  
Tompkins,  
Townsend,  
Wagner,  
Williams,  
Withers,  
Woods.

So the motion was agreed to.

Mr. D. L. Wardlaw moved that the amendment offered by Mr. Rutledge be adopted; and the question being put, will the Convention agree thereto? it passed in the affirmative:

Yeas, 120; nays, 29.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,  
Atkinson,  
Barron,  
Barton,  
Beaty,  
Bellinger,  
Bethca,  
Bobo,  
Brown, A. H.  
Burnet,  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carn,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,

Messrs. Curtis,  
Dargan,  
Davant,  
Davis,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunoyant, R. G. M.  
Easley,  
Ellis,  
Evans,  
Finley,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.



Messrs. Grisham,  
Hammond,  
Hauekel,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Landrum,  
Lawton,  
Lewis,  
Lyles,  
McCrary,  
McLeod,  
Magrath,  
Maxwell,  
Mayes,  
Means,  
Memminger,  
Middleton, John Izard  
Middleton, Williams  
Miles,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Parker,

Messrs. Perrin,  
Porcher,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Rowell,  
Rutledge,  
Seabrook, E. M.  
Sessions,  
Simons,  
Simpson,  
Smith,  
Smyly,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Whitner,  
Wier,  
Williams,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods.

Those who voted in the negative, are

Messrs. Appleby,  
Ayer,  
Brabham,  
Brown, C. P.  
Carroll,  
DuPre,  
Fair,  
Flud,  
Gourdin, T. L.  
Gregg, Maxey  
Harlee,  
Jenkins, John  
Jenkins, J. E.  
Kinsler,  
Logau,

Messrs. McIver,  
McKee,  
Manigault,  
Mazyck,  
Moore,  
Pressley,  
Scott,  
Seabrook, G. W., Sr.  
Shingler, J. M.  
Shingler, W. P.  
Snowden,  
Spain,  
Spratt,  
Wagner.

So the motion was agreed to.

On motion of Mr. Mcmminger, the Ordinance was committed to the Engrossing Committee, and was ordered to be made public.

On motion of Mr. Mcmminger, the Convention was adjourned.

B. F. ARTHUR,

*Clerk of the Convention.*

THURSDAY, DECEMBER 27, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. D. P. Robinson.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,  
Appleby,  
Atkinson,  
Barron,  
Barton,

Messrs. Beaty,  
Bellinger,  
Bobo,  
Bonneau,  
Brown, A. H.

Messrs. Burnet,  
Caldwell,  
Calhoun,  
Campbell,  
Carn,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Crawford,  
Dargan,  
Davant,  
Davis,  
DeTreville,  
Duncan,  
Dunkin,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Flud,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Grisham,  
Hammond,  
Hanckel,  
Harlee,

Messrs. Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McIver,  
McKee,  
McLeod,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Memminger,  
Middleton, John Izard  
Middleton, Williams  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Parker,  
Perrin,

Messrs. Porcher,	Messrs. Spratt,
Pressley,	Springs,
Quattlebaum,	Stokes,
Rainey,	Thompson, R. A.
Reed,	Thomson, Thomas
Richardson, J. P.	Timmons,
Robinson,	Tompkins,
Rowell,	Wagner,
Rutledge,	Wannamaker,
Scott,	Wardlaw, D. L.
Sessions,	Wardlaw, F. H.
Shingler, J. M.	Watts,
Shingler, W. P.	Wier,
Simons,	Wilson, I. D.
Simpson,	Wilson, J. H.
Smith,	Wilson, W. B.
Smyley,	Withers,
Snowden,	Woods,
Spain,	Young.

The journal of yesterday's proceedings was read. Whereupon, the Convention went into

#### SECRET SESSION.

Mr. DeTreville offered the following resolution, which was ordered to lie on the table :

*Resolved*, That the Governor of the State be, and he is hereby authorized and requested to take immediate possession of Fort Moultrie and Castle Pinckney, and to make the necessary preparation for the recapture or destruction of Fort Sumter.

On motion of Mr. F. H. Wardlaw, it was

*Resolved*, That his Excellency the Governor be invited to attend the secret sessions of the Convention.

On motion of Mr. Hayne, it was

*Ordered*, That a Committee of three be appointed to wait upon his Excellency the Governor, and inform him of the invitation.

Whereupon, the President appointed Messrs. Hayne, Means and Rutledge, of the Committee.

Mr. Maxey Gregg asked and obtained leave to read a communication from Hon. L. T. Wigfall.

His Excellency the Governor attended and addressed the Convention.

On motion of Mr. DeTreville, it was

*Resolved*, That the Governor be requested and authorized to take possession, forthwith, of the Telegraph Office in this city, and prevent all communication between the city and Fort Sumter.

Mr. R. N. Gourdin asked and obtained leave to read a communication from Major Anderson, Commandant at Fort Sumter; and,

On motion of Mr. Memminger, Mr. R. N. Gourdin was appointed a Committee to transmit the communication to his Excellency the Governor.

Mr. Cheves offered the following resolution, which, on motion of Mr. Memminger, was ordered to lie on the table :

*Resolved*, That it is the sense of this Convention that the occupation of Fort Sumter ought at once to be regarded as an authorized occupation, and vigorous military defences provided immediately.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made a report, and reported :

An Ordinance concerning Judicial powers; and

An Ordinance concerning powers lately vested in the Congress of the United States;

Which, on motion of Mr. D. L. Wardlaw, were made the special order of the day for to-morrow, at twelve o'clock, M., and were ordered to be printed.

#### SPECIAL ORDER.

On motion of Mr. D. L. Wardlaw, the Convention proceeded to the consideration of an Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department, which had been made the special order of the day, for this day.

Mr. Maxey Gregg offered the following amendment, which on motion of Mr. Memminger, was ordered to lie on the table :



He may, in like manner, remove the officers whose appointment is vested in him; but such removal shall be subject to the consent of the Senate; and if made during a recess, and afterwards disapproved of, the officer shall be restored to office.

Mr. Spratt offered the following amendment, which was ordered to lie on the table:

Provided that all the officers so appointed, other than Ambassadors, Ministers, Consuls and Agents, hold their offices during good behavior.

Mr. A. H. Brown offered the following amendment:

That the Governor shall immediately appoint four persons, with the advice and consent of this Convention during its existence, who, together with the Lieutenant Governor, shall form a Council, to be called the Executive Council, whose duty it shall be, when required by the Governor, to advise with him upon all matters which may be submitted to their consideration; and that a record of such consultations shall be kept; and that on and after the dissolution of this Convention, the said appointments shall, from time to time, be made by, and with the consent of, the Senate: provided, nevertheless, that the Governor shall, in all cases, decide upon his own action.

Mr. Brown withdrew his amendment.

Mr. Chesnut offered the following amendment:

That the Governor, with the advice and consent of this Convention, until it shall be dissolved, and after its dissolution, with the advice and consent of the Senate, shall appoint a Cabinet, consisting of Secretaries of State, of War, Navy, Treasury, and the Attorney General.

Mr. Chesnut withdrew his amendment.

Mr. DeTreville moved to amend the last clause of the Ordinance, so as to read "that four persons *shall be immediately elected by this Convention*, who, together with the Lieutenant Governor, shall form a Council, to be called the Executive Council, whose duty it shall be, when required by the Governor, to advise with him upon all matters which may be submitted to their consideration; and that a record of such consultations shall be kept: provided, nevertheless, that the Governor shall, in all cases, decide upon his own action.

On motion of Mr. D. L. Wardlaw, the amendment was ordered to lie on the table.

The Ordinance was adopted, was ordered to be engrossed, and to be signed by the President and the Clerk.

### SPECIAL ORDER.

On motion of Mr. D. L. Wardlaw, the Convention proceeded to the consideration of an Ordinance to alter the Constitution of the State of South Carolina, by striking out certain words in sundry places, which had been made the special order of the day, for this day.

The Ordinance was agreed to, was ordered to be engrossed, and to be signed by the President and the Clerk.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made a report; and reported,

An Ordinance to define and punish treason; and

An Ordinance concerning citizenship; which, on motion of Mr. D. L. Wardlaw, were made the special order of the day for to-morrow, at one o'clock, P. M., and were ordered to be printed.

Mr. Williams Middleton offered the following resolution:

*Resolved*, That his Excellency the Governor be authorized to accept, in his discretion, the services of volunteers from the State of Georgia, or elsewhere, who may tender the same.

Mr. Glover offered the following amendment:

*Resolved*, That the Governor, at his discretion, may receive aid and assistance to this State, and volunteers from abroad; looking carefully to the exigency of circumstances, and avoiding unnecessary expense; and that the Governor be authorized and requested to present the thanks of this Convention to such volunteers as may offer their services.

Mr. John Izard Middleton offered the following amendment:

That the Governor be requested to adopt measures immediately to prevent any reinforcements from being introduced into any one of the forts of Charleston harbor, and that he cause batteries to be erected on Sullivan's Island, Morris' Island and James' Island, in order to prevent the entrance of any vessel of war belonging to the late Government of the United States; and further, that he be required to take possession of Castle Pinckney and Fort Johnson.

Mr. Cheves offered the following amendment:

*Resolved*, That it is the sense of this Convention that it would be unwise to presume the supposed occupation of Fort Sumter to be an unfounded rumor, or an act unauthorized by the Federal Government; and that prudence demands that immediate vigorous military measures should be taken by the Governor in accordance with these views, until they are modified by further information.

On motion of Mr. D. L. Wardlaw, all the amendments proposed were ordered to lie on the table; and the resolution offered by Mr. Glover was agreed to.

Mr. Memminger offered the following resolution:

*Resolved*, That in the opinion of this Convention, it is advisable that any volunteers, who may arrive in Charleston from our sister States, be united by the Governor with our own troops in any movements which he may deem advisable for taking possession of Sullivan's Island.

Mr. Memminger withdrew his resolution.

On motion of Mr. D. L. Wardlaw, the Convention was adjourned at half-past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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FRIDAY, DECEMBER 28, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. B. F. Mauldin.

The Clerk called the roll, and the following Delegates answered to their names:

Messrs. Allison,  
Appleby,  
Atkinson,  
Barron,  
Barton,  
Beaty,  
Bellinger,

Messrs. Bethea,  
Bobo,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Caldwell,

Messrs. Calhoun,  
Campbell,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Crawford,  
Curtis,  
Dargan,  
Davant,  
Davis,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Grisham,  
Hammond,  
Hanckel,

Messrs. Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyek,  
Means,  
Memminger,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,

Messrs. Parker,  
 Perrin,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Rutledge,  
 Scott,  
 Seabrook, G. W., Sr.  
 Sessions,  
 Shingler, W. P.  
 Simons,  
 Simpson,

Messrs. Smith,  
 Snowden,  
 Spain,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Wagner,  
 Wannamaker,  
 Wardlaw, D. L.  
 Watts,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

Mr. A. T. Darby, delegate from St. Matthew's, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

On motion of Mr. Glover, it was

*Resolved*, That Mr. A. T. Darby have leave to sign the Ordinance of Secession.

The President laid before the Convention the following communication, which was ordered to be entered on the journal, and to be printed:

*To the Hon. the President and Members of the*

*Convention of the Independent State of South Carolina:*

GENTLEMEN: I am to-night informed, that a resolution was this day adopted, inviting me to a seat on the floor of your Convention. For the compliment thus paid my State, in my person, please accept my grateful acknowledgments. I regret that engagements elsewhere imperatively forbid the enjoyment of your proffered courtesy.

Intelligence received to-night makes "assurance doubly sure," that



Alabama stands by the side of South Carolina, prepared to share with her a common destiny.

Information, obtained on diligent inquiry in the last few days, justifies me in saying, that the gallant sons of North Carolina and Virginia are now ready to rally around the standard of Southern Rights and Honor, which you have so gloriously reared; and that those two States will also be members, in all probability, of the Great Southern Confederacy by the 4th of next March. The other Slave States must, sooner or later, take the same course, or be involved in inevitable ruin. To the bold, deliberate and decisive action of your body, are the people of the South indebted for the great movement which must end in the vindication of their rights; and the future historian must award to South Carolina the honor of leadership in carrying out the measures destined to release them from the wrongs and oppressions under which they have so long and so patiently suffered.

With sentiments of profound consideration, I am,

Most respectfully,

J. W. GARROTT.

CHARLESTON, December 26, 1860.

On motion of Mr. Magrath, leave of absence was granted to Mr. Conner, on account of sickness.

On motion of Mr. Carroll, leave of absence was granted to Mr. Hammond, on account of indisposition.

On motion of Mr. Atkinson, leave of absence was granted to Mr. Forster, on account of illness in his family.

On motion of Mr. Reed, leave of absence was granted to Mr. Mauldin, on account of illness in his family.

On motion of Mr. W. P. Shingler, leave of absence was granted to Mr. J. M. Shingler, on account of indisposition.

On motion of Mr. Rhett, the Convention proceeded to the consideration of

*An Ordinance*, recommending and providing for a Convention of the Slaveholding States of the United States, to form the Constitution of the Southern Confederacy; and

The Report of the Committee on Relations with the Slaveholding States of North America;

And, pending the consideration thereof,

On motion of Mr. D. L. Wardlaw, the Convention went into

SECRET SESSION.

The President laid before the Convention certain despatches received from the Commissioners to Washington.

Mr. Magrath offered the following resolutions :

*Resolved*, That the transfer of the garrison from Fort Moultrie to Fort Sumter, pending the negotiations at Washington, between the Commissioners of this State and the President of the United States, accompanied as it was by the destruction of public property, is to be regarded as an act of hostility.

*Resolved*, That this Convention approves the conduct of the Governor in taking immediate possession of Castle Pinckney and Fort Moultrie, and of holding these places henceforth in the name of this State; and that the Commissioners of this State at Washington be now requested to present to the President of the United States the necessity for the immediate withdrawal of the troops of the United States at Fort Sumter, and the possession of that Fort by this State, as necessary for the peace of the State and the protection of property within its limits.

Mr. Keitt moved to amend the resolution by striking out the words : "and of holding these places henceforth in the name of this State."

Mr. D. L. Wardlaw offered the following amendment :

*Resolved*, That in reference to Forts Moultrie and Sumter, troops of the United States have committed acts of hostility against this State, in violation of the understanding to which this State, in the hope of preserving peace, has carefully adhered.

That if upon the disavowal of those acts by the President of the United States, matters shall be restored to the *status ante bellum*, this Convention will expect the Governor, by employment of State forces and other suitable means, to insure the safety of the United States troops against all violence, when those troops shall have returned to Fort Moultrie, which they have partially dismantled; and that if the restoration shall be ordered, our Commissioners at Washington be requested to proceed in the duty assigned to them; otherwise, to return home.

Mr. Wardlaw withdrew his amendment.

Mr. ——— moved that the resolutions and the amendment be

ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative:

Yeas, 111; nays, 40.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,  
 Appleby,  
 Ayer,  
 Barron,  
 Barton,  
 Beaty,  
 Bellinger,  
 Bethea,  
 Bobo,  
 Brabham,  
 Brown, A. H.  
 Cain,  
 Calhoun,  
 Carn,  
 Carroll,  
 Caughman,  
 Chesnut,  
 Cheves,  
 Clarke,  
 Curtis,  
 Darby,  
 Davant,  
 DeSaussure,  
 DeTreville,  
 Duncan,  
 Dunkin,  
 Duquoyant, A. Q.  
 DuPre,  
 Ellis,  
 English,  
 Evans,  
 Finley,  
 Flud,

Messrs. Foster,  
 Frampton,  
 Furman,  
 Garlington,  
 Geiger,  
 Glover,  
 Goodwin,  
 Gourdin, R. N.  
 Gourdin, T. L.  
 Gregg, Maxey  
 Grisham,  
 Hammond,  
 Hanckel,  
 Harrison,  
 Hayne,  
 Hopkins,  
 Hunter,  
 Hutson,  
 Ingram,  
 Jefferies,  
 Jenkins, J. E.  
 Johnson,  
 Keitt,  
 Kershaw,  
 Kinsler,  
 Landrum,  
 Lawton,  
 Lewis,  
 Lyles,  
 McCrady,  
 McKee,  
 McLeod,  
 Manning,

Messrs. Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Memminger,  
Miles,  
Moore,  
Noble,  
Nowell,  
Perrin,  
Pope,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Seabrook, E. M.  
Sessions,

Messrs. Shingler, W. P.  
Simpson,  
Smyly,  
Snowden,  
Spain,  
Springs,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

Those who voted in the negative, are

Messrs. Atkinson,  
Bonneau,  
Brown, C. P.  
Burnet,  
Caldwell,  
Campbell,  
Cauthen,  
Crawford,  
Dargan,  
Davis,  
Fair,  
Gadberry,  
Gist,  
Harlee,  
Henderson,

Messrs. Honour,  
Jackson,  
Jenkins, John  
Kilgore,  
Kinard,  
Logan,  
McIver,  
Magrath,  
Middleton, J. Izard  
Middleton, W.  
Moorman,  
O'Hear,  
Palmer,  
Parker,  
Porcher,

Messrs. Pressley,  
Richardson, F. D.  
Rutledge,  
Scott,  
Seabrook, G. W., Sr.

Messrs. Simons,  
Smith,  
Spratt,  
Stokes,  
Wagner.

So the motion was agreed to.

On motion of Mr. Bobo, leave of absence until Wednesday next, was granted to Mr. Curtis, on account of important business.

The Convention resumed the consideration of an Ordinance recommending and providing for a Convention of the Slaveholding States of the United States, to form the Constitution of a Southern Confederacy; and

The Report of the Committee on Relations with the Slaveholding States of North America.

Mr. Memminger moved to strike out the *resolutions* reported by the Committee, and insert, in the form of resolutions, the Ordinance recommending and providing for a Convention of the Slaveholding States of the United States to form the Constitution of a Southern Confederacy.

Mr. Hayne moved that the Ordinance be ordered to lie on the table.

On motion of Mr. Means, leave of absence, until Wednesday next, was granted to Mr. Lyles, on account of sickness in his family.

On motion of Mr. DeSaussure, leave of absence, until Wednesday next, was granted to Mr. Hopkins, on account of important business.

On motion of Mr. Maxey Gregg, the Convention was adjourned at half-past three o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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SATURDAY, DECEMBER 29, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. D. C. Appleby.



The Clerk called the roll, and the following Delegates answered to their names :

## Messrs. Allison,

Appleby,  
Atkinson,  
Barron,  
Barton,  
Beaty,  
Bellinger,  
Bethea,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Crawford,  
Darby,  
Dargan,  
Davant,  
Davis,  
DeSaussure,  
Dunkin,  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,

## Messrs. Flud,

Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Grisham,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Logan,  
McCrady,  
McIver,  
McKee,

Messrs. McLeod,	Messrs. Sessions,
Maxwell,	Shingler, J. M.
Mayes,	Shingler, W. P.
Mazyck,	Simons,
Memminger,	Simpson,
Middleton, John Izard	Smith,
Middleton, Williams	Smyly,
Moore,	Snowden,
Moorman,	Spain,
Noble,	Spratt,
Nowell,	Springs,
O'Hear,	Stokes,
Palmer,	Thompson, R. A.
Parker,	Thomson, Thomas
Perrin,	Timmons,
Porcher,	Tompkins,
Pressley,	Wannamaker,
Quattlebaum,	Wardlaw, D. L.
Rainey,	Wardlaw, F. H.
Reed,	Watts,
Rhett,	Wier,
Rhodes,	Wilson, I. D.
Richardson, F. D.	Wilson, J. H.
Robinson,	Wilson, W. B.
Rowell,	Withers,
Scott,	Woods,
Seabrook, G. W., Sr.	Young.

The journal of yesterday's proceedings was read.

The President laid before the Convention the following communication ; which, on motion of Mr. Dunkin, was ordered to lie on the table:

COLLECTOR'S OFFICE, Charleston, S. C.,  
December 28, 1860.

Hon. D. F. JAMISON,

*President of the Convention :*

SIR : I beg leave respectfully to inform the Convention, that, in obedience to the Ordinance passed on the 26th inst., all the officers attached to this Custom House, entered yesterday into the service of the State, and that I then commenced to receive duties and to transact all

other business as Collector of the State of South Carolina for the Port and District of Charleston.

I have the honor to be,

Very respectfully,

Your obedient servant,

W. F. COLCOCK,

*Collector of South Carolina,*

*for the Port and District of Charleston.*

Mr. Dunkin offered the following resolution :

*Resolved*, That, until otherwise ordered, the Collectors of the ports in the State be authorized to receive payment of duties in bills of the Banks of this State.

And, pending the consideration thereof, a message was received from his Excellency the Governor ;

Whereupon, the Convention went into

#### SECRET SESSION.

The following communication was received from his Excellency the Governor, and was ordered to lie on the table :

EXECUTIVE DEPARTMENT,

Charleston, 28 December, 1860.

To Hon. D. F. JAMISON,

*President of the Convention :*

SIR : As the Convention sent for me yesterday, to be informed upon important business, I take the occasion to say, that, under my order, Castle Pinckney was taken last evening ; and the United States flag hauled down, and the Palmetto banner run up in its place. And I also ordered a detachment from an artillery regiment to occupy Sullivan's Island ; and if it could be done without any immediate danger from mines, or too great loss of life, to take Fort Moultrie, and to run up the Palmetto flag, and put the guns in immediate preparation for defence. I have now full possession of those two forts. I considered the evacuation of Fort Moultrie, under all the circumstances, a direct violation of the distinct understanding between the authorities of the Government at Washington and those who were authorized to act on the part of the State, and bringing on a state of war.

I therefore thought it due to the safety of the State that I should

take the steps I have. I hope there is no immediate danger of further aggression for the present.

Respectfully,

F. W. PICKENS.

The Convention resumed the consideration of the following resolution :

*Resolved*, That until otherwise ordered, the Collectors of the ports in this State be authorized to receive payment of duties in bills of the Banks of this State.

Mr. Cheves offered the following amendment, which, on motion of Mr. Reed, was ordered to lie on the table :

Strike out the words "bills of the Banks of this State," and insert "in such moneys as shall be receivable in payment of State taxes."

Mr. Memminger offered the following amendment :

*Provided*, That no bank notes be accepted by the Collectors which are below the par value of the notes of the Bank of the State of South Carolina.

Mr. Chesnut moved that the amendment be ordered to lie on the table, which motion was not agreed to.

Mr. F. H. Wardlaw moved that the *resolution* be ordered to lie on the table, which motion was not agreed to.

The amendment was agreed to ; and the resolution as amended was agreed to, and was ordered to be made public.

The President laid before the Convention a despatch from the Commissioners at Washington.

Mr. Simons offered the following resolution ; which was considered immediately, and was agreed to, and was ordered to be made public :

*Resolved*, That the President of this Convention be requested to transmit to his Excellency the Governor and to the General Assembly of this State, at its session, copies of the Ordinances which have been and may, from time to time, be adopted by this body.

Mr. DeTreville offered the following resolution ; which, on motion of Mr. Harlee, was ordered to lie on the table, and to be printed :



*Resolved*, That the Governor be authorized and requested forthwith to cause to be enlisted into the service of the State, for the term of six months, at such rate of compensation and emolument as is now allowed by the Federal Government to its infantry soldiers, two regiments of six hundred and forty privates each, to be divided into eight companies each; and also that he do appoint suitable persons to command the said regiments and companies, and supply all vacancies from time to time, subject to the approval of the Senate.

*Resolved, further*, That as soon as a sufficient number of companies shall be enlisted, officered and properly drilled, they be employed to relieve the volunteers now in possession of the forts in this State.

Mr. Thomas Thomson offered the following resolutions, which were considered immediately, and were agreed to:

*Resolved*, That it shall be the duty of the Committee on Accounts to examine and report upon the accounts and contingent expenses of this Convention.

*Resolved*, That whenever an appropriation therefor shall be made by the Legislature, the President of the Convention be authorized to draw his warrant, or warrants, on the Treasury, countersigned by the Cashier or Deputy Cashier, for the payment of such accounts and contingent expenses as may be allowed by the Convention.

Mr. Thomas Thomson, from the Committee on Accounts, made reports,

On the account of P. B. Glass, for stationery; and

On the account of E. R. Stokes, for articles furnished and services rendered; which were considered immediately, and were agreed to.

Mr. Porcher presented certain accounts contracted by the Committee of Arrangements, for preparing the Hall for the Convention; which were referred to the Committee on Accounts.

On motion of Mr. Harlow, leave of absence, till Tuesday next, was granted to Mr. Dargan, on account of illness in his family.

Mr. A. H. Brown offered the following Ordinance, which was ordered to be printed:

That the judicial power heretofore delegated by this State, so as to form a part of the judicial system of the United States, having reverted to this State, be exercised by the Courts of the State now established, until further direction. The right of appeal being preserved where the



amount involved exceeds ——— dollars. In all cases affecting ambassadors, other public ministers and consuls, there shall be in all of the Courts as near a conformity as may be to the regulations and practice now prevailing in the Courts of the United States; in all other cases, the practice shall conform to the practice of the Courts of the State.

That the said Courts shall have power to appoint such officers under it as may be necessary in execution of the judicial power hereby conferred; the laws of the United States which were in operation at the time of the secession of this State, concerning offences connected with the Post Office Department, the Public Customs, or Seamen, and an Act of the Congress of the United States, entitled "An Act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved March 3, 1825, shall be considered as laws of this State, until they may be altered or repealed; all offences under the said laws shall be subject to the jurisdiction of the Courts of this State; in cases which, under the laws aforesaid, have heretofore been tried by a jury, the trial shall be by jury, according to the mode of jury trial which is of force in this State; in all cases of admiralty and maritime jurisdiction, in which the trial by jury has not been established, the form and mode of proceeding shall be such as have heretofore been in use in the Courts within this State that have heretofore had cognizance of such cases.

Mr. Miles offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the late members of Congress from this State be admitted to seats on the floor of the Convention at all times during its session.

#### SPECIAL ORDER.

OF

On motion of Mr. Rhett, the Convention resumed the consideration of an Ordinance recommending and providing for a Convention of the Slaveholding States of the United States to form a Constitution of a Southern Confederacy; and

The report of the Committee on Relations with the Slaveholding States of North America.

Mr. ——— moved that the Ordinance be ordered to lie on the table;

and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 76; nays, 55.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Allison,

Ayer,

Barron,

Barton,

Beaty,

Bellinger,

Brabham,

Brown, A. H.

Carn,

Carroll,

Caughman,

Charles,

Chesnut,

Cheves,

Darby,

DeSaussure,

DeTreville,

Duncan,

DuPre,

Ellis,

English,

Finley,

Foster,

Gadberry,

Geiger,

Glover,

Gourdin, T. L.

Harrison,

Hayne,

Henderson,

Hunter,

Ingram,

Jackson,

Jefferies,

Messrs. Johnson,

Kershaw,

Landrum,

Logan,

McCrady,

McIver,

McKee,

Manning,

Maxwell,

Mayes,

Mazyck,

Means,

Middleton, J. I.

Miles,

Noble,

Nowell,

Perrin,

Pope,

Porcher,

Pressley,

Quattlebaum,

Rainey,

Reed,

Rhodes,

Richardson, F. D.

Sessions,

Smyly,

Snowden,

Springs,

Thompson, R. A.

Thomson, Thomas

Tompkins,

Townsend,

Wardlaw, D. L.

Messrs. Wardlaw, F. H.

Watts,

Wier,

Wilson, I. D.

Messrs. Wilson, J. H.

Withers,

Woods,

Young.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and

Messrs. Atkinson,

Bethea,

Bonneau,

Brown, C. P.

Burnet,

Caldwell,

Calhoun,

Campbell,

Cauthen,

Clarke,

Crawford,

Davant,

Dunkin,

Evans,

Fair,

Flud,

Frampton,

Furman,

Garlington,

Gist,

Gregg, Maxcy

Hanckel,

Harlee,

Honour,

Hutson,

Jenkins, John

Jenkins, J. E.

Messrs. Kilgore,

Kinard,

Kinsler,

Lawton,

Magrath,

Memminger,

Moore,

Moorman,

O'Hear,

Parker,

Rhett,

Richardson, J. P.

Robinson,

Rowell,

Rutledge,

Scott,

Seabrook, G. W., Sr.

Shingler, J. M.

Shingler, W. P.

Simons,

Simpson,

Smith,

Spain,

Spratt,

Timmons,

Wagner,

Wilson, W. B.

So the motion was agreed to.

The Convention proceeded to the consideration of the report of the Committee on the Slaveholding States of North America.

Mr. Finley offered the following amendment :

And that if such proposition shall be accepted, that said Commissioners be authorized to propose to the said seceding States to appoint the ——— day of February next, for the election of the President and Vice President of the Southern Confederacy by electors previously chosen by them; and also to appoint such times for the election of Senators and Representatives of the Government to be organized as will enable the said Government to be inaugurated at the City of ——— in the State of ———, or such other place as may be agreed on, and go into operation on the twenty-second day of February, in the year one thousand eight hundred and sixty-one.

And that whenever the said Permanent Government shall be agreed on and be organized, the said Provisional Government, and all offices created under the authority of the said Government, shall utterly cease and be abolished.

Mr. Maxey Gregg offered the following as an amendment to the first resolution; which, on motion of Mr. Pressley, was ordered to lie on the table:

That the President of the Convention be instructed to transmit to the Conventions of the People that may be assembled in other Slaveholding States, copies of our Ordinance of Secession, with a respectful invitation to them to join in the formation of a Southern Confederacy.

The first resolution was adopted.

Mr. Fair moved that the second resolution be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 56; nays, 73.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Atkinson,  
Beaty,  
Bethea,  
Bonneau,  
Brown, C. P.  
Burnet,  
Caldwell,  
Calhoun,

Messrs. Campbell,  
Caughman,  
Cauthen,  
Cheves,  
Clarke,  
Darby,  
Duncan,  
DuPre,

Messrs. English,  
 Fair,  
 Flud,  
 Garlington,  
 Geiger,  
 Gist,  
 Gregg, Maxey,  
 Hanckel,  
 Harrison,  
 Honour,  
 Hutson,  
 Jackson,  
 Jefferies,  
 Jenkins, John  
 Kilgore,  
 Kinard,  
 Kinsler,  
 McIver,  
 Mazyck,  
 Middleton, J. Izard

Messrs. Moorman,  
 Parker,  
 Perrin,  
 Porcher,  
 Rhett,  
 Richardson, J. P.  
 Robinson,  
 Rutledge,  
 Scott,  
 Seabrook, G. W., Sr.  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Smith,  
 Snowden,  
 Spain,  
 Spratt,  
 Wagner,  
 Wardlaw, D. L.  
 Wier.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,  
 Ayer,  
 Barron,  
 Barton,  
 Bellinger,  
 Brown, A. H.  
 Carn,  
 Carroll,  
 Charles,  
 Chesnut,  
 Davant,  
 DeSaussure,  
 DeTreville,  
 Dunkin,  
 Ellis,  
 Evans,

Messrs. Finley,  
 Foster,  
 Frampton,  
 Furman,  
 Gadberry,  
 Glover,  
 Grisham,  
 Harlee,  
 Hayne,  
 Hunter,  
 Ingram,  
 Jenkins, J. E.  
 Johnson,  
 Kershaw,  
 Landrum,  
 Lawton,



Messrs. Logan,	Messrs. Rowell,
McKee,	Seabrook, E. M.
Magrath,	Sessions,
Manning,	Shingler, W. P.
Maxwell,	Smyly,
Mayes,	Springs,
Means,	Thompson, R. A.
Memminger,	Thomson, Thomas
Miles,	Timmons,
Moore,	Tompkins,
Noble,	Townsend,
Nowell,	Wannamaker,
O'Hear,	Wardlaw, F. H.
Pope,	Watts,
Pressley,	Wilson, I. D.
Quattlebaum,	Wilson, J. H.
Rainey,	Wilson, W. B.
Reed,	Withers,
Rhodes,	Woods,
Richardson, F. D.	Young.

So the motion was not agreed to.

Mr. Maxey Gregg offered the following amendment to the second resolution, which was agreed to :

*Provided*, That the said Provisional Government, and the tenures of all officers and appointments arising under it, shall cease and determine, in two years from the first day of July next, or when a Permanent Government shall have been organized.

Mr. Maxey Gregg offered the following amendment to the second resolution :

With the proviso that the basis of representation in Congress shall be the whole population, not excluding any part of the slaves.

Mr. Reed moved that the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 109; nays, 22.

The yeas and nays were demanded, and are as follows :  
Those who voted in the affirmative, are

Hon. D. E. JAMISON, President; and

Messrs. Allison,	Messrs. Garlington,
Barron,	Geiger,
Barton,	Glover,
Beaty,	Gourdin, R. N.
Bellinger,	Grisham,
Bethea,	Harlee,
Bonneau,	Harrison,
Brown, A. H.	Hayne,
Burnet,	Honour,
Caldwell,	Hunter,
Calhoun,	Hutson,
Campbell,	Ingram,
Carn,	Jackson,
Carroll,	Jefferies,
Caughman,	Johnson,
Cauthen,	Kershaw,
Charles,	Kilgore,
Chesnut,	Kinard,
Cheves,	Landrum,
Clarke,	Lawton,
Crawford,	Logan,
Darby,	McCrady,
Davant,	McIver,
Davis,	McKee,
DeSaussure,	Magrath,
DeTreville,	Manning,
Duncan,	Maxwell,
Dunkin,	Mayes,
Ellis,	Means,
English,	Memminger,
Evans,	Miles,
Finley,	Moore,
Foster,	Moorman,
Frampton,	Noble,
Furman,	O'Hear,
Gadberry,	Perrin,

Messrs. Pope,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, W. P.  
 Simpson,  
 Smyly,  
 Snowden,

Messrs. Spratt,  
 Springs,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wannamaker,  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Those who voted in the negative, are

Messrs. Atkinson,  
 Brown, C. P.  
 DuPre,  
 Fair,  
 Flud,  
 Gist,  
 Gregg, Maxey  
 Hanckel,  
 Jenkins, John  
 Jenkins, J. E.  
 Kinsler,

Messrs. Mazyck,  
 Middleton, John Izard  
 Nowell,  
 Parker,  
 Rutledge,  
 Scott,  
 Seabrook, G. W., Sr.,  
 Shingler, J. M.  
 Simons,  
 Smith,  
 Spain.

So the motion was agreed to.

Mr. Mazyck offered the following amendment, which was ordered to lie on the table:

And with the distinct understanding and stipulation that such Provisional Government shall not be authorized to impose any duty on imports exceeding one-tenth of the value of the article imported, and that the power to regulate commerce shall be declared not to include the power to prohibit any branch of commerce.

Mr. Pope offered the following amendment to the third resolution, which was agreed to :

And that the same Convention of seceding States shall proceed forthwith to consider and propose a Constitution and plan for a Permanent Government for such States, which proposed plan shall be referred back to the several State Conventions for their adoption or rejection.

Mr. Pope offered the following amendment :

That eight Deputies shall be elected by ballot by this Convention, who shall be authorized to meet in Convention such Deputies as may be appointed by the other Slaveholding States who may secede from the Federal Union, for the purpose of carrying into effect the foregoing resolutions, and that it be recommended to the said States, that each State be entitled to one vote in the said Convention, upon all questions which may be voted upon therein ; and that each State send as many Deputies as are equal in number to the number of Senators and Representatives to which it was entitled in the Congress of the United States.

Mr. ——— moved that the amendment be ordered to lie on the table ; and the question being put, will the Convention agree thereto ? it passed in the negative.

Yeas, 52 ; nays, 79.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President ; and

Messrs. Barron,

Bonneau,

Carr,

Carroll,

Caughman,

Chesnut,

Cheves,

Darby,

Davis,

DeSaussure,

Duncan,

Evans,

Finley,

Messrs. Foster,

Gadberry,

Garlington,

Geiger,

Glover,

Gourdin, R. N.

Hayne,

Ingram,

Johnson,

Kershaw,

Kilgore,

Landrum,

McIver,

Messrs. McKee,  
Manning,  
Mazyek,  
Means,  
Middleton, John Izard  
Miles,  
Moore,  
Noble,  
Perrin,  
Reed,  
Rhodes,  
Springs,  
Thompson, R. A.

Messrs. Thomson, Thomas  
Tompkins,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,  
Wilson, I. D.  
Wilson, J. H.  
Withers,  
Woods,  
Young.

Those who voted in the negative, are

Messrs. Allison,  
Atkinson,  
Ayer,  
Barton,  
Beaty,  
Bellinger,  
Betha,  
Brown, A. H.  
Burnet,  
Caldwell,  
Calhoun,  
Campbell,  
Cauthen,  
Charles,  
Clarke,  
Crawford,  
Davant,  
DeTreville,  
Dunkin,  
DuPre,  
Ellis,  
English,  
Fair,  
Flud,

Messrs. Frampton,  
Furman,  
Gist,  
Gourdin, T. L.  
Gregg, Maxey  
Hauckel,  
Harllee,  
Harrison,  
Honour,  
Hunter,  
Hutson,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Kinard,  
Kinsler,  
Lawton,  
Logan,  
McCrary,  
Magrath,  
Maxwell,  
Mayes,  
Memminger,



Messrs. Moorman,

Nowell,

O'Hear,

Parker,

Pope,

Poreher,

Pressley,

Quattlebaum,

Rainey,

Rhett,

Richardson, F. D.

Richardson, J. P.

Robinson,

Rowell,

Rutledge,

Seabrook, E. M.

Messrs. Seabrook, G. W., Sr.

Sessions,

Shingler, J. M.

Shingler, W. P.

Simons,

Simpson,

Smith,

Smyly,

Snowden,

Spain,

Spratt,

Timmons,

Townsend,

Wagner,

Wilson, W. B.

So the motion was not agreed to.

The President laid before the Convention certain despatches from the Commissioners at Washington.

On motion of Mr. DeTreville, the Convention proceeded to the consideration of the following resolutions :

*Resolved*, That the Governor be authorized and requested, forthwith, to cause to be enlisted into the service of the State, for the term of six months, at such rate of compensation and emolument as is now allowed by the Federal Government to its infantry soldiers, two regiments of six hundred and forty privates each, to be divided into eight companies each ; and also that he do appoint suitable persons to command the said regiments and companies, and supply all vacancies from time to time, subject to the approval of the Senate.

*Resolved, further*, That as soon as a sufficient number of companies shall be enlisted, officered and properly drilled, they be employed to relieve the volunteers now in possession of the forts in this State.

And, pending the consideration thereof, the Convention was adjourned at four o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

## SUNDAY, DECEMBER 30, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,  
Atkinson,  
Ayer,  
Beaty,  
Bellinger,  
Bethea,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Burnet,  
Caldwell,  
Calhoun,  
Campbell,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Crawford,  
Darby,  
Davant,  
Davis,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
DuPre,

Messrs. Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxcy  
Grisham,  
Hancckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.

Messrs. Johnson,  
 Kershaw,  
 Kilgore,  
 Kinard,  
 Kinsler,  
 Landrum,  
 Lewis,  
 McCrady,  
 McIver,  
 McKee,  
 Magrath,  
 Maxwell,  
 Mayes,  
 Mazyck,  
 Means,  
 Memminger,  
 Middleton, John Izard  
 Miles,  
 Moore,  
 Moorman,  
 Noble,  
 Nowell,  
 O'Hear,  
 Parker,  
 Perrin,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Rhett,  
 Rhodes,

Messrs. Richardson, F. D.  
 Robinson,  
 Rowell,  
 Seabrook, E. M.  
 Seabrook, G. W., Sr.  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Smith,  
 Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

The following communication was received from his Excellency the Governor :

EXECUTIVE OFFICE,  
 Charleston, December 30, 1860.

*To the President of the Convention :*

By an Ordinance of your body, transmitted to me, I am required to nominate immediately four gentlemen, as a Council of State.

I therefore hereby nominate to the Convention, for their confirmation: Hon. David F. Jamison, of Barnwell District; Hon. A. G. Magrath, of Charleston; Hon. C. G. Memminger, of Charleston; and Hon. A. C. Garlington, of Newberry District.

Respectfully,

F. W. PICKENS.

On motion of Mr. R. N. Gourdin, the Convention went into

### SECRET SESSION.

Mr. Maxey Gregg moved that the communication of his Excellency the Governor be ordered to lie on the table till to-morrow; which motion was not agreed to.

Mr. Furman offered the following resolution, which was considered immediately, was agreed to, and, on motion of Mr. Fair, was ordered to be made public:

*Resolved*, That so soon as this Convention shall have disposed of such questions as it may be necessary to the public safety to consider immediately, it will adjourn.

On motion of Mr. DeTreville, the nomination by his Excellency the Governor, of the Executive Council, was confirmed;

And, on motion of Mr. Fair, was ordered to be made public.

Certain despatches from the Commissioners at Washington and others, were read.

Mr. Miles offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That it is the sense of this Convention that the vigor of military preparation and defence should not be relaxed; and that a copy of this resolution be immediately communicated to the Governor.

The Convention resumed the consideration of the resolutions (offered by Mr. DeTreville) authorizing the Governor to cause two regiments to be enlisted in the service of the State.

And, on motion of Mr. Cheves, it was

*Resolved*, That these resolutions be referred to the Governor and Council, and be made the special order of the day for to-morrow, at eleven o'clock, A. M.

Mr. A. H. Brown offered the following resolutions :

*Resolved*, That the Governor be advised to move or destroy the beacons on Sullivan's Island and Morris' Island, and on the Main of Christ Church, and also forbid the lighting of the lamps at the Light-House, Castle Pinckney and at Battery Square, till further directed, and to remove the buoys.

*And be it further Resolved*, That the Cutter in the service of the State do receive on board a competent corps of experienced pilots, who shall be required to board all neutral vessels, and safely to conduct them into the port; and also safely to pilot out of the harbor such as may be duly authorized to put to sea, and that no other boats be permitted to act in this service or as pilots, till otherwise directed.

And, pending the consideration thereof, the Convention was adjourned at half-past eleven o'clock, A. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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MONDAY, DECEMBER 31, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. T. R. English.

The Clerk called the roll, and the following delegates answered to their names :

Messrs. Allison,  
Appleby,  
Atkinson,  
Barton,  
Beaty,  
Bellinger,  
Bethea,  
Bonneau,  
Brown, A. H.  
Burnet,

Messrs. Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,



Messrs. Cheves,  
Clarke,  
Crawford,  
Darby,  
Davant,  
Davis,  
DeSaussure,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
DuPré,  
Easley,  
Ellis,  
English,  
Evans,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furnan,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Jackson,  
Jefferies,  
Jenkins, John

Messrs. Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
McIver,  
McKee,  
Maxwell,  
Mayes,  
Mazyek,  
Means,  
Memminger,  
Middleton, John Izard  
Middleton, Williams  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Parker,  
Perrin,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Rhett,  
Rhodes,  
Rowell,  
Rutledge,  
Scott,  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simpson,

Messrs. Sims,  
 Smith,  
 Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Thompson, R. A.  
 Timmons,  
 Tompkins,

Messrs. Wardlaw, D. L.  
 • Watts,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

On motion of Mr. R. N. Gourdin, the Convention went into

### SECRET SESSION.

Mr. A. H. Brown asked and obtained leave to withdraw the resolutions offered by him yesterday.

The following communication was received from his Excellency the Governor, and on motion of Mr. DeTreville, the communication and the accompanying resolutions were made the special order of the day for this day, at eleven o'clock, A. M., in connection with the resolutions offered by Mr. DeTreville, on the same subject:

EXECUTIVE DEPARTMENT,  
 31 December, 1860.

*To the President and Delegates of the Convention:*

I received the resolution in relation to raising and enlisting two regiments of infantry; and after full consultation with the Executive Council, I herewith enclose the resolutions we agreed to.

And I most respectfully urge the adoption of the principles and plan suggested in the same as a measure well calculated to advance the public service.

F. W. PICKENS.

The resolutions referred to in the message of his Excellency the Governor are as follows:

*Resolved,* That the Governor be authorized and requested forthwith to cause to be enlisted into the service of the State, for the term of

twelve months, at such rates of compensation and emolument as are now allowed by the Federal Government, one regiment of 640 privates, to be divided into eight companies, and that he appoint suitable persons to command the said regiment and companies, and from time to time to supply vacancies, subject to the approval of the Senate; the said officers to be entitled to the same pay and emoluments as is allowed by the Federal Government to officers of similar grade in that service. And that the Governor be also authorized, whenever the public interest may, in his opinion, require it, to enlist for a period not exceeding twelve months, another regiment, with a like number of officers and privates, and like pay and emoluments, the officers to be appointed in the same manner as the former.

2. That the Governor be also authorized to appoint three or more engineers, and to organize a corps as soon as the same can be done; the rank of the chief to be that of a captain of engineers, and the pay and emoluments to be the same as are allowed by the Federal Government to officers of the like employment and rank.

3. *Resolved, further,* That as soon as a sufficient number of companies shall be enlisted, officered and properly drilled, they be employed to relieve the volunteers now in the possession of the forts in this State.

#### SPECIAL ORDER.

On motion of Mr. DeTreville, the Convention proceeded to the consideration of the communication of his Excellency the Governor, and the accompanying resolutions, together with the resolutions on the same subject offered by Mr. DeTreville; which had been made the special order of the day for this day, at eleven o'clock, A. M.

On motion of Mr. DeTreville, the resolutions offered by Mr. DeTreville were ordered to lie on the table; and the resolutions accompanying the message of his Excellency the Governor were taken up.

Mr. Hanckel moved that the second resolution be stricken out; which motion was not agreed to.

On motion of Mr. Chesnut, the following words were added to the third resolution: "Or otherwise, at the discretion of the Commander-in-Chief."

On motion of Mr. Magrath, the first resolution was amended by adding: "And armed in such manner and for such service as the Governor may approve."

Mr. DeTreville offered the following amendment, which was agreed to:

4. That as soon as either of the said regiments shall be organized, they shall be subject to such of the rules and articles of war at present known and used in the army of the United States, as may be approved by the Governor of this State.

Mr. McCrady offered the following amendment to the first resolution ; which, on motion of Mr. E. M. Seabrook, was ordered to lie on the table :

Strike out "for the term of twelve months," and insert in lieu thereof : "during the pleasure of the State, not less than one year nor more than five years."

The resolutions, as amended, were agreed to ; and a copy thereof transmitted to his Excellency the Governor.

Mr. Williams Middleton offered the following Ordinance, which, on motion of Mr. Chesnut, was referred to the Committee on Foreign Relations :

*Be it ordained, by the People of South Carolina, now met and sitting in Convention,* That the Governor be and he is hereby empowered and instructed, in case of any attempt on the part of the Federal Government of the United States to coerce the Commonwealth of South Carolina, to issue letters of marque and reprisal to all applicants for the same, against all vessels belonging to any of the States or citizens of the States lying north of Mason and Dixon's line ; and that during a state of war he have power to issue letters of marque and reprisal.

Mr. D. L. Wardlaw offered the following resolution, which was considered immediately, and was agreed to :

*Resolved,* That it be referred to the Committee on Commercial Relations and Postal Arrangements to inquire whether any reduction can be properly made in the expenses of the Custom House and its incidents ; and if so, to what extent and how ; with leave to report by Ordinance or otherwise.

Mr. Hutson offered the following resolution, which was referred to the Committee on the Constitution of the State :

*Resolved,* That if they deem it necessary, the Governor and Council are authorized and empowered to declare martial law in and over the



City of Charleston and her dependencies, and to remove therefrom all persons whose presence, in their opinion, shall be detrimental to the public peace: *Provided*, that such power and authority shall be at all times subject to be limited, controlled or revoked by this Convention, or the General Assembly.

Mr. Magrath presented a communication from B. G. Heriot, late Pension Agent of the United States, and from Benj. D. Heriot, late Navy Agent of the United States; which, on motion of Mr. Magrath, were respectively referred to the Committee on Commercial Relations and Postal Arrangements.

Mr. Simons presented the report of the Committee on Engrossed Ordinances, which was considered immediately, and was agreed to.

On motion of Mr. John Izard Middleton, leave of absence was granted to Mr. Sessions, on account of illness in his family.

The Convention resumed the consideration of the Report of the Committee on Relations with the Slaveholding States of North America; and after various amendments, the report and resolutions were agreed to, and were committed to the Committee on Engrossed Ordinances.

Mr. R. N. Gourdin offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That it be referred to the Committee on Commercial Relations and Postal Arrangements to inquire into the condition of the new Custom House, and of the material provided for its construction, lying in the yard, and to report whether any or what measures may be necessary for their protection.

#### GENERAL ORDERS.

An Ordinance concerning powers lately vested in the Congress of the United States;

An Ordinance concerning judicial powers, and

An Ordinance to define and punish treason, were agreed to, and were committed to the Committee on Engrossed Ordinances.

On motion it was

*Resolved*, That this Convention will go into an election to-morrow, at eleven o'clock, A. M., for eight Deputies, as provided for by the resolution adopted this day.



An Ordinance concerning citizenship was taken up; and, pending the consideration thereof, the Convention was adjourned at four o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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TUESDAY, JANUARY 1, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. D. DuPre.

The Clerk called the roll, and the following Delegates answered to their names:

Messrs. Allison,	Messrs. Darby,
Appleby,	Davant,
Atkinson,	Davis,
Barron,	DeSaussure,
Barton,	Duncan,
Beaty,	Dunkin,
Bellinger,	DuPre,
Bethea,	Easley,
Bonneau,	Ellis,
Brown, A. H.	English,
Brown, C. P.	Evans,
Burnet,	Finley,
Caldwell,	Flud,
Calhoun,	Foster,
Campbell,	Frampton,
Carn,	Furman,
Carroll,	Gadberry,
Caughman,	Garlington,
Cauthen,	Geiger,
Charles,	Gist,
Cheves,	Glover,
Crawford,	Gourdin, R. N.

Messrs. Gourdin, T. L.

Gregg, William

Grisham,

Hanckel,

Harlee,

Harrison,

Henderson,

Honour,

Hunter,

Hutson,

Jefferies,

Jenkins, John

Jenkins, J. E.

Johnson,

Kershaw,

Kilgore,

Kinard,

Kinsler,

Landrum,

Lewis,

Logan,

McIver,

McKee,

McLeod,

Maxwell,

Mayes,

Mazyek,

Means,

Middleton, John Izard

Middleton, Williams

Moore,

Moorman,

Nowell,

O'Hear,

Parker,

Messrs. Perrin,

Pressley,

Quattlebaum,

Rainey,

Rhodes,

Richardson, F. D.

Robinson,

Rowell,

Scott,

Seabrook, G. W., Sr.

Sessions,

Shingler, J. M.

Shingler, W. P.

Simons,

Sims,

Smith,

Smyly,

Snowden,

Spain,

Spratt,

Springs,

Stokes,

Thompson, R. A.

Timmons,

Tompkins,

Wagner,

Wardlaw, D. L.

Wardlaw, F. H.

Wier,

Wilson, I. D.

Wilson, J. H.

Wilson, W. B.

Withers,

Woods,

Young.

The journal of yesterday's proceedings was read, and the Convention went into

## SECRET SESSION.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the

State, made the following report, which was considered immediately, was agreed to, and ordered to be transmitted to his Excellency the Governor :

The Committee on the Constitution of the State, to whom was referred a resolution concerning martial law, report, that they have considered the same, and beg leave to recommend for the adoption of the Convention, the following resolution :

*Resolved*, That whenever, in the course of the struggle into which the State now seems likely to be drawn, hostilities may be waged or threatened against the City of Charleston, or its neighborhood, and the Governor (upon consultation with the Executive Council) may deem the measure necessary, the Governor is hereby authorized to declare and enforce martial law, in whole or in part, in and over Charleston, its harbor and neighboring villages; all the adjacent islands, including Morris' Island, and all other places within five miles of the Court House; to remove thence all persons whose presence he shall consider detrimental to the public service; to prevent the ingress of such persons; to regulate, at discretion, all travel to and forth, and otherwise to govern as in a camp: *Provided*, that such authority shall be, at all times, subject to be limited, controlled, or revoked by this Convention, or by the General Assembly.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made the following report, which was considered immediately, and was agreed to :

The Committee on Commercial Relations and Postal Arrangements, to whom was referred a resolution in relation to the new Custom House, beg leave to report :

That they had before them the communication of Col. Edward B. White to the Chairman of the Committee, under date 22d December, 1860, and also his letter to one of the Committee, which are submitted with this report.

Col. White was employed by the United States to superintend the construction of the building, at a stipulated salary, and gave bond in the penalty of \$20,000. He has charge of the building and materials.

The Committee, after mature consideration, are of opinion that it would be inexpedient for the Convention to interfere with any property of the United States, which is not indispensably necessary for the protection or welfare of the State. Not regarding the new Custom House

as of this character, the Committee cannot recommend to the Convention any action in reference to these communications, and they respectfully ask leave to be discharged from the further consideration of the subject.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made the following report, which was considered immediately, and was agreed to :

The Committee on Commercial Relations and Postal Arrangements, to whom was referred the communications of Benj. D. Heriot, late Navy Agent of the United States, and of Benj. G. Heriot, late Pension Agent of the United States, beg leave respectfully to report :

That, at this time, they would deem it inexpedient for the Convention to appoint such officers for the State of South Carolina. Under Ordinances already passed, matters of this character will be under the cognizance of the Legislature, who can adopt such regulations as may be deemed requisite for the welfare of the State, or of her citizens. Under these circumstances, the Committee respectfully ask leave to be discharged from the further consideration of the subject.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made the following report :

The Committee on Commercial Relations and Postal Arrangements, to whom was referred the resolution of inquiry in relation to the expenses of the Custom House, beg leave to report :

That they have taken testimony upon the subject, and they herewith submit, also, a written statement of the Collector. For reasons which can more properly be orally communicated to the Convention than formally embodied in a report, the Committee recommend that no alteration be made by the Convention in relation to the said establishment; and submit, that if a change should be hereafter deemed necessary, it may be more satisfactorily accomplished in the department of Government to which such matters will peculiarly pertain.

Mr. D. L. Wardlaw offered the following amendment to the report, which was agreed to :

*Resolved*, That the letter of Mr. Colecock, Collector of the Port of Charleston, addressed to the Committee on Commercial Relations and Postal Arrangements, just read to the Convention, be filed carefully

and preserved; and that it be declared that this Convention expects the whole staff of officers connected with the Customs, to be paid from the Customs, and in no event to bring a charge upon the State.

The report, as amended, was agreed to.

The Convention resumed the consideration of an Ordinance concerning citizenship; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 85; nays, 28.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Messrs. Allison,  
Atkinson,  
Barron,  
Bellinger,  
Bethea,  
Bonneau,  
Burnet,  
Cain,  
Caldwell,  
Calhoun,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Chesnut,  
Crawford,  
Darby,  
DeTreville,  
Duncan,  
Dunkin,  
DuPre,  
Ellis,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Foster,

Messrs. Frampton,  
Garlington,  
Geiger,  
Glover,  
Gregg, William  
Grisham,  
Hanckel,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
McCrady,  
McKee,  
McLeod,  
Manning,  
Maxwell,  
Mayes,  
Mazyek,



Messrs. Moore,	Messrs. Spain,
Moorman,	Springs,
Parker,	Stokes,
Perrin,	Thompson, R. A.
Porcher,	Tompkins,
Rainey,	Wardlaw, D. L.
Richardson, F. D.	Wardlaw, F. H.
Richardson, J. P.	Wier,
Robinson,	Wilson, I. D.
Rowell,	Wilson, J. H.
Seabrook, E. M.	Wilson, W. B.
Shingler, W. P.	Withers,
Simons,	Woods,
Sims,	Young.
Snowden,	

Those who voted in the negative, are

Messrs. Brown, A. H.	Messrs. Kinsler,
Brown, C. P.	Logan,
Campbell,	Middleton, J. Izard
Cheves,	Middleton, W.
Clarke,	Miles,
Davant,	Nowell,
DeSaussure,	O'Hear,
Easley,	Scott,
Furman,	Seabrook, G. W., Sr.
Gist,	Shingler, J. M.
Gourdin, R. N.	Smith,
Gregg, Maxey	Spratt,
Hutson,	Townsend,
Jenkins, J. E.	Wagner.

The Ordinance was committed to the Committee on Engrossed Ordinances.

On motion, the injunction of secrecy was removed in respect to the Ordinances adopted yesterday and to-day; and from the report of the Committee on Relations with the Slaveholding States of North America.

Mr. Simons offered the following resolution, which, on motion of Mr. Pressley, was ordered to lie on the table:

*Resolved*, That a Committee of two from each Congressional district be appointed to suggest to this Convention, Commissioners to the various Southern States about to meet in Convention.

The Convention proceeded to ballot for Commissioner to the State of Florida.

The Convention proceeded to ballot for Commissioners to the States of Alabama, Mississippi, Georgia, Louisiana, Texas and Arkansas.

Mr. DeTreville presented the account of A. J. Burke for stationery, which was referred to the Committee on Accounts.

Mr. Bethea, from the Committee appointed to count the ballots cast for Commissioner to the State of Florida, reported that Mr. L. W. Spratt had received a majority of the ballots cast;

Whereupon, the President announced that Mr. L. W. Spratt is duly elected Commissioner to the State of Florida.

Mr. Gadberry offered the following resolutions:

*Resolved*, That the Governor be, and he is hereby, authorized to receive into the service of the State, for a period not exceeding six months, such Volunteer Companies as may tender their services, if in his judgment the exigencies of the times require the immediate reception of additional troops.

2. That the Governor be authorized to organize any Companies, so received, into Battalions, Regiments, Brigades and Divisions, and to appoint the Field Officers for the same, by and with the advice and consent of the Senate: *Provided*, that the Companies to be received, as aforesaid, shall consist of not less than sixty rank and file, four officers and five sergeants.

3. That Major Generals, Brigadier Generals, and Colonels of Regiments, shall have the same power to appoint their respective staff, as is now provided by law.

Mr. Kershaw offered the following amendment:

*Resolved*, That the Governor be authorized to call into service, at his discretion, existing Volunteer Companies attached to the militia of the State, to remain in service only until superseded by the organization of the force provided for by the recent Act of the General Assembly; such volunteers to be organized into Regiments, and to be commanded by officers of their own selection, made in the manner now provided by the

militia laws of the State, but without restriction as to the eligibility of said officers; and

On motion of Mr. Means, it was

*Resolved*, That these resolutions be referred to the Governor and Council, with authority to act upon them, if they deem it expedient, with such modifications as they may think fit.

On motion of Mr. Spain, leave of absence was granted to Mr. Mayes, on account of illness in his family.

Mr. Memminger offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Governor be requested to issue a commission, under the seal of the State, countersigned by the Secretary of State, to each of the Commissioners who are, or may be, appointed by this Convention to the several slaveholding States, under the resolutions adopted by this body.

On motion of Mr. R. N. Gourdin, a despatch, received from Washington, was sent to his Excellency the Governor of North Carolina.

Mr. Miles, from the Committee on Foreign Relations, to whom had been referred a resolution providing for the issuing of letters of marque and reprisal, made a report, which on motion of Mr. D. L. Wardlaw, was recommitted to the Committee.

On motion, leave of absence, until Tuesday next, was granted to Mr. Davant, on account of important business.

On motion of Mr. Young, leave of absence was granted to Mr. Watts, on account of indisposition.

Mr. Carn offered the following resolution, which was made the special order of the day for to-morrow, at one o'clock, P. M. :

*Resolved*, That this Convention do adjourn, subject to the call of the President, on Wednesday next, the 2d instant, at four o'clock, P. M.

On motion, the Convention was adjourned at forty-five minutes past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

WEDNESDAY, JANUARY 2, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. J. H. Honour.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Appleby,

Atkinson,

Ayer,

Barron,

Barton,

Beaty,

Bellinger,

Bethea,

Bonneau,

Brabham,

Brown, A. H.

Brown, C. P.

Burnet,

Caldwell,

Calhoun,

Campbell,

Carn,

Carroll,

Caughman,

Cauthen,

Chesnut,

Cheves,

Clarke,

Crawford,

Darby,

Dargan,

Davis,

DeSaussure,

DeTreville,

Duncan,

Messrs. Dunkin,

DuPre,

Easley;

Ellis,

English,

Evans,

Fair,

Finley,

Flud,

Foster,

Frampton,

Furman,

Garlington,

Geiger,

Glover.

Goodwin,

Gourdin, R. N.

Gregg, Maxcy

Gregg, William

Hanckel,

Harrison,

Hayne,

Henderson,

Honour,

Hunter,

Hutson,

Jackson,

Jefferies,

Jenkins, J. E.

Johnson,

Kershaw,

Messrs. Kilgore,  
 Kinard,  
 Kinsler,  
 Landrum,  
 Lewis,  
 Logan,  
 Lyles,  
 McIver,  
 McKee,  
 McLeod,  
 Maxwell,  
 Mazyck,  
 Means,  
 Middleton, J. I.  
 Middleton, Williams  
 Moore,  
 Nowell,  
 Palmer,  
 Parker,  
 Perrin,  
 Porcher,  
 Quattlebaum,  
 Rhett,  
 Rhodes,  
 Robinson,  
 Rowell,  
 Scott,

Messrs. Seabrook, G. W., Sr.  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith,  
 Smyly,  
 Snowden,  
 Spain,  
 Springs,  
 Stokes,  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

On motion of Mr. Fair, leave of absence was granted to Mr. Moor-  
 man, on account of illness in his family.

Mr. A. H. Brown, from the Committee appointed to count the ballots  
 cast for Commissioners to the States of Alabama, Georgia, Mississippi,  
 Louisiana, Arkansas and Texas, made the following report: That for  
 Commissioner to Alabama, Mr. A. P. Calhoun received 98 votes; scat-  
 tering, 32; and that Mr. A. P. Calhoun, having received a majority of  
 the ballots cast, was consequently elected;

That for Commissioner to the State of Mississippi, Mr. M. L. Bon-  
 ham received 102 votes; scattering, 28; and that Mr. Bonham having  
 received a majority of the ballots cast, was consequently elected;



That for Commissioner to the State of Louisiana, Mr. John L. Manning received 100 votes ; scattering 30 ; and that Mr. Manning, having received a majority of the ballots cast, was consequently elected ;

That for Commissioner to the State of Arkansas, Mr. A. C. Spain received 105 votes ; scattering 25 ; and that Mr. Spain, having received a majority of the ballots cast, was consequently elected ;

That for Commissioner to the State of Georgia, no one had received a majority of the ballots cast, and that consequently there was no election ; and

That for Commissioner to the State of Texas, no one had received a majority of the ballots cast, and that consequently there was no election.

Whereupon, the President announced that Mr. A. P. Calhoun is duly elected Commissioner to the State of Alabama ; Mr. M. L. Bonham, Commissioner to the State of Mississippi ; Mr. John L. Manning, Commissioner to the State of Louisiana ; and Mr. A. C. Spain, Commissioner to the State of Arkansas.

On motion of Mr. R. N. Gourdin, the Convention went into

### SECRET SESSION.

Certain despatches were read, and were transmitted to his Excellency the Governor.

On motion of Mr. Carn, the Convention proceeded to a second ballot for a Commissioner to Georgia and a Commissioner to Texas.

On motion of Mr. Miles, the Hon. M. L. Bonham was excused from serving as a Commissioner to Mississippi.

The Convention proceeded to a second ballot for Commissioner to Mississippi.

The following communication was received from his Excellency the Governor, and was referred to the Committee on Commercial Relations and Postal Arrangements :

EXECUTIVE DEPARTMENT,  
2d January, 1861.

*To the President and Members of the Convention :*

I have to present to your honorable body that Mr. Pressley, the Assistant Treasurer of the United States, has informed me that drafts are being presented to him for payment of persons in the service of the United States, and desires to know what he shall do. I have directed him not to pay until two o'clock, P. M., this day, in order

that you may determine what should be done in the matter. Your decision I shall communicate to him.

F. W. PICKENS.

On motion of Mr. Dunkin, it was

*Resolved*, That the Treasurer, Mr. Pressley, be enjoined from paying any drafts on the Treasury until the further action of this Convention.

Mr. Maxey Gregg offered the following resolution :

*Resolved*, That if this Convention shall terminate its present session without fixing a time and place for reassembling, it shall stand adjourned to meet at such time and place as the President shall appoint; and he is hereby authorized, whenever, in his opinion, the public exigencies shall require, by notice under his hand, duly published, to assemble the Convention; and it shall be his duty, before the adjournment, to appoint a Committee, to consist of five members, a majority of whom, or the survivors or survivor of them, in case of the death or disqualification of the President, shall have like authority to assemble the Convention, and appoint a time and place for its meeting.

Mr. Gist offered the following amendment :

*Resolved*, That the President of this Convention be authorized, if, in his opinion, the public exigencies shall require it, to assemble the Convention at such time and place as he may determine, before the 17th of December, 1862; and that he shall appoint a Committee of five, a majority of whom, or the survivors or survivor of such majority, in case of the death or disqualification of the President, shall have like authority to assemble the Convention, and appoint a time and place for its meeting.

Mr. Cheves offered the following amendment :

*Resolved*, That a Committee of Safety be constituted, to consist of as many members, not less than thirty-three, as shall be assembled after such call of the Convention, to which is hereby committed, with power to act, the consideration of any emergency requiring the immediate action of this Convention.

On motion of Mr. Fair, the resolution and the amendments were made the special order of the day for to-morrow, at one o'clock, P. M.

Mr. Simons presented the report of the Committee on Engrossed Ordinances; which was considered immediately, and was agreed to.

Mr. Simons offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That five hundred copies of the Report of the Committee on Relations with the Slaveholding States of North America, with the resolutions thereto appended, and of the Ordinances which may be adopted, be printed, and that each of the Commissioners to the Slaveholding States be furnished with twenty-five copies for his use, and that the residue be distributed among the members of the Convention.

Mr. Quattlebaum, from the Committee on Printing, made the following report, which was considered immediately, was agreed to, and was ordered to be made public :

The Committee on Printing beg leave to report, that the 15,000 copies of the Address of the People of South Carolina, assembled in Convention, to the People of the Slaveholding States of the United States; the Declaration of the Causes which induce and justify the Secession of South Carolina; and the Report of the Committee on the Address of a portion of the members of the General Assembly of Georgia to the People of South Carolina; ordered to be printed for the use of this Convention, be disposed of in the following manner: 100 copies to each of the Commissioners to the several States; 20 copies to each member of the Convention and of the General Assembly of South Carolina; 6,000 copies to the "1860 Association;" and the balance distributed under the direction of the Committee on Printing.

Mr. Calhoun, from the Committee appointed to count the ballots cast for Commissioner to Georgia, and for Commissioner to Texas, reported that of the ballots cast for Commissioner to Georgia, Mr. James L. Orr had received a majority; and

Of the ballots cast for Commissioner to Texas, Mr. John McQueen had received a majority.

Whereupon, the President announced that Mr. James L. Orr is duly elected Commissioner to Georgia, and Mr. John McQueen is duly elected Commissioner to Texas.

Mr. Maxey Gregg offered the following resolutions, which were referred to the Committee on Foreign Relations:

*Resolved*, That it shall be the duty of the Governor to forward copies

of the Ordinance to dissolve the Union between the State of South Carolina and other States united with her, under the compact entitled "the Constitution of the United States of America," to all the Ministers of Foreign Powers resident at Washington.

*Resolved*, That it shall be the duty of the Governor to adopt such further measures as may be requisite for making known in foreign countries the separation of the State of South Carolina from the Confederacy of the United States of America.

*Resolved*, That the Governor shall be authorized to apply a sum not exceeding ——— dollars to defray the expenses necessary for the above purpose, including the secret service money which may be required.

*Resolved*, That it shall be the duty of the General Assembly to provide and place at the disposal of the Governor the funds required by the foregoing resolutions, and that these resolutions be accordingly communicated by the President of the Convention to the President of the Senate and the Speaker of the House of Representatives, to be laid before those bodies in secret session.

Mr. Carn, from the Committee appointed to count the ballots cast for Commissioner to Mississippi, reported that no one had received a majority of the ballots cast, and that consequently there was no election.

On motion of Mr. Carn, the Convention proceeded to another ballot for Commissioner to Mississippi.

Mr. Thomas Thomson, from the Committee on Accounts, made a report :

On the account of Horton & Shepherd ;

On the account of Lambert & Howell ;

On the account of J. E. Suares ;

On the account of E. R. Cowperthwait ;

On the account of D. H. Silcox ; and

On the account of Thomas Aimar ; which was considered immediately, and was agreed to.

### SPECIAL ORDER.

On motion of Mr. Carn, the Convention proceeded to the consideration of the following resolution, which had been made the special order of the day for this day, at one o'clock, P. M. :



*Resolved*, That this Convention do adjourn, subject to the call of the President, on Wednesday next, the 2d instant, at four o'clock, P. M.

On motion of Mr. Carn, the special order was discharged, and was made the special order of the day for to-morrow, at one o'clock, P. M.

Mr. Porcher offered the following resolution, which was considered immediately, and was agreed to : .

*Resolved*, That a Committee of three be appointed to prepare designs to be submitted to this Convention, from which to select a flag, to be known as the Ensign of the State of South Carolina.

Whereupon, the President appointed the following gentlemen, of the Committee :

Messrs. F. J. Porcher,  
R. DeTreville,  
B. H. Rutledge.

Mr. Cauthen, from the Committee appointed to count the ballots cast for Commissioner to Mississippi, reported that Mr. Armistead Burt had received a majority of the ballots cast.

Whereupon, the President announced that Mr. Armistead Burt is duly elected Commissioner to Mississippi.

Mr. Campbell offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the President of this Convention be authorized to appoint Commissioners to such of the Slaveholding States as may call Conventions during the recess of this body, and to which Commissioners have not been elected, for the same purpose and with the same powers as those already elected ; and that the Governor of this State be requested to issue commissions to such Commissioners in the manner and form of the commissions directed to be issued to those already appointed.

On motion of Mr. Withers, the Convention was adjourned at half-past one o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*



## THURSDAY, JANUARY 3, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. William Curtis.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Appleby,

Atkinson,

Barron,

Barton,

Beaty,

Bellinger,

Bethea,

Bobo,

Bonneau,

Brown, A. H.

Brown, C. P.

Cain,

Caldwell,

Campbell,

Carn,

Caughman,

Charles,

Cheves,

Clarke,

Curtis,

Darby,

Dargan,

Davis,

DeSaussure,

DeTreville,

Dunkin,

DuPre,

Easley,

Ellis,

English,

Messrs. Evans,

Fair,

Finley,

Flud,

Forster,

Foster,

Frampton,

Furman,

Garlington,

Geiger,

Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Gregg, Maxey,

Gregg, William

Grisham,

Hammond,

Hanckel,

Harlee,

Harrison,

Henderson,

Honour,

Hunter,

Hutson,

Jackson,

Jefferies,

Jenkins, John

Jenkins, J. E.

Johnson,

Messrs. Kershaw,  
 Kilgore,  
 Kinard,  
 Kinsler,  
 Landrum,  
 Lewis,  
 Lyles,  
 McIver,  
 McKee,  
 McLeod,  
 Magrath,  
 Maxwell,  
 Mazyck,  
 Means,  
 Memminger,  
 Middleton, J. Izard  
 Middleton, W.  
 Miles,  
 Moore,  
 Nowell,  
 O'Hear,  
 Palmer,  
 Parker,  
 Perrin,  
 Porcher,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Robinson,

Messrs. Rowell,  
 Rutledge,  
 Scott,  
 Seabrook, G. W., Sr.  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith,  
 Snowden,  
 Spain,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons;  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Wier,  
 Williams,  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

The President laid before the Convention the following communication :

CHARLESTON, January 1, 1861.

D. F. JAMISON, Esq.,

*President of the Convention of the People of South Carolina :*

SIR : At a regular Monthly Meeting of the St. Andrew's Society of Charleston, held last evening, on motion, it was unanimously agreed,

that the gratuitous use of their Hall be granted to the Convention now in session.

I was requested to communicate the same to you.

I remain, sir, your obedient servant,

ROBERT MURE,  
*President of St. Andrew's Society of Charleston.*

On motion of Mr. Withers, the thanks of the Convention were returned to the St. Andrew's Society for the use of their Hall, and to the Charleston Delegation for their services in making arrangements for the accommodation of the Convention.

Mr. A. H. Brown offered the following resolution, which, on motion of Mr. D. L. Wardlaw, was ordered to lie on the table :

*Resolved*, That all citizens of the United States, not domiciled in South Carolina at the time of the adoption of the Ordinance of Secession, but owning real estate within its limits, be, and the same are hereby, empowered to hold and to dispose of the same by sale or otherwise, without hindrance or molestation by this Government.

On motion of Mr. Scott, leave of absence was granted to Mr. J. E. Jenkins, on account of illness in his family.

The Convention went into

#### SECRET SESSION.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made the following report, which was ordered for consideration to-morrow :

The Committee on Commercial Relations and Postal Arrangements, to whom was referred the communication of his Excellency the Governor, in relation to the matter of Mr. Pressley, Assistant Treasurer of the United States, beg leave to report :

That they have ascertained, on inquiry, that since the passage of the Ordinance in reference to the Customs, no funds have been paid by the Collector to the Assistant Treasurer, but the duties have been deposited in the Treasury of the State of South Carolina. Mr. Pressley has received about four hundred dollars from the Post Office, which, with other funds from the Post Office before received, is paid out by him to the railroads and other contractors for carrying the mails. Much of

this is already checked for, and his application to the Governor was not in reference to this fund.

But the Assistant Treasurer has other funds in his hands belonging exclusively to the United States. They arise from duties collected in Augusta (Georgia), Chattanooga and Knoxville (Tennessee); from the land office in Alabama; from the mint at Dahlonega, and about \$9,000 in silver received from the mint in Philadelphia. Some of these funds stood to the credit of particular persons (as the Committee understood). Among them, the sum of \$3,400 was subject to the draft of Major Hutto, Paymaster of the United States; and the inquiry which he had proposed was in relation to drafts on this fund, and was made in consequence of a previous intimation from the Governor.

When the Committee have informed the Convention from what source the funds in the charge of the Assistant Treasurer have been derived, and to whom they belong, the principal duty assigned to the Committee has been discharged, and the Convention have the information which may determine their action. When war has been declared, the public property of an enemy may be confiscated. Cases sometimes arise, and have arisen, which may justify such procedure without a previous declaration of hostilities. These are extreme cases, and must necessarily depend upon the exigency of the occasion to warrant an extraordinary procedure. The communication of the Governor relates to drafts for payment of persons in the service of the United States. Whether it is expedient for the Convention to interfere and stop the payment of these drafts, is a question for their own proper consideration.

The President read to the Convention certain despatches received from the Commissioners at Washington.

Mr. Quattlebaum offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That in case of the death, resignation, inability or refusal to serve of any of the Commissioners elected to the several States, the President of this Convention is hereby authorized to fill the vacancy by appointment, if the Convention should not then be in session; and it shall be the duty of the Governor to commission the person so appointed.

Mr. Hutson offered the following resolution, which was ordered for consideration to-morrow:



*Resolved*, That the Convention proceed, forthwith, to ballot for eight Deputies, who shall be authorized to meet in Convention such Deputies as may be appointed by the other slaveholding States who may secede from the Federal Union.

Mr. Harlee informed the Convention that Mr. Logan, the Cashier, and Mr. Pressley, the Deputy Cashier, were absent, in the discharge of military duty; and

On motion of Mr. Harlee, it was

*Resolved*, That the President appoint a Cashier *pro tem.*, and a Deputy Cashier *pro tem.*

Whereupon, the President appointed Mr. F. J. Porcher, Cashier *pro tem.*, and Mr. B. H. Rutledge, Deputy Cashier *pro tem.*

On motion of Mr. Harlee, leave of absence for three days was granted to Mr. Logan and to Mr. Pressley.

Mr. Finley offered the following resolutions, which were made the special order of the day for to-morrow, at eleven o'clock, A. M., and were ordered to be printed:

Whereas, it is expedient that at the earliest practicable period, a Provisional Government should be organized for such of the slaveholding States of the United States of America, as shall secede from the union of said States;

And whereas, it is requisite to this end that prompt action should be taken on this subject by the Conventions of the seceding States;

And whereas, the plan of a General Convention to set in motion a Provisional Government, may fail to effect the object proposed, either from being unacceptable to the Conventions of the other seceding States, or from the delay incident to said plan of procedure; be it, therefore,

*Resolved*, That it be recommended to each of the Conventions of such of the said States as shall secede previous to the ninth day of February next, to elect at any time between the act of secession and the said ninth day of February, a President and Vice President of the said Provisional Government, one of whom shall not be an inhabitant of the said seceding State; and the persons having a majority of the votes cast in each of said Conventions for the offices of President and Vice President, shall be considered entitled to as many votes for said offices in the Provisional Government as the State thus voting was, while one



of the United States, entitled to cast in the election of President and Vice President of the said United States; and that it be also recommended to each of said Conventions to elect; at the same time aforesaid, two Senators, and as many Representatives as the seceding State was entitled to in the Congress of the United States, previous to the act of secession. And that the Senators and Representatives, thus elected, shall assemble at the City of ——— in the State of ———, on the 13th day of February next, and then and there be organized as the Provisional Congress of the Southern Confederacy, with the Constitution of the United States as a basis for said Provisional Government, so far as the same may be applicable to such a Government. And that it be also recommended to each of the said Conventions to transmit the result of the votes cast for President and Vice President, in a sealed certificate, signed by the President of the said Convention, to the said Congress, so as to be received by them on the day of their assembling, directed to the President of the Senate and the Speaker of the House of Representatives; and that on the day following, all of the votes received be counted by them in the presence of the Senate and House of Representatives, in Congress assembled, and the result declared. And the persons having the greatest number of votes for President and Vice President, shall be the President and Vice President of the said Provisional Government, if such number be a majority of the whole number of votes cast; and if no persons have such majority, then the election for said offices shall be made and conducted by the Senate or House of Representatives, as the case may be, in like manner as is prescribed in the said Constitution of the United States for the offices of President and Vice President of the said United States; and the persons elected to said offices, either by the said Conventions or by the Congress of the Southern Confederacy, shall hold the said offices during the period for which the said Provisional Government shall continue to exist, and no longer.

#### SPECIAL ORDER.

The Convention proceeded to the consideration of the various resolutions in relation to the adjournment and reassembling of the Convention, which had been made the special order of the day for this day, at one o'clock, P. M.

Mr. Gist withdrew his amendment.

Mr. Cheves offered the following amendment :

*Resolved*, That from the — day of January to the — day of the same, — members shall constitute a quorum.

*Resolved*, That such quorum, when consisting of less than a majority of the whole, ought not to act upon any matter not imperatively demanding action.

On motion, the amendments offered by Mr. Cheves were ordered to lie on the table.

Mr. Mazyck offered the following amendment, which, on motion of Mr. Smyly, was ordered to lie on the table :

And the call for a meeting of the Convention shall be published in the daily newspapers of Charleston and Columbia, at least five days before the time appointed for such meeting.

The resolutions offered by Mr. Gregg were agreed to.

#### SPECIAL ORDER.

On motion of Mr. Carn, the Convention proceeded to the consideration of the following resolution, which had been made the special order of the day for this day, at one o'clock, P. M. :

*Resolved*, That this Convention do adjourn, subject to the call of the President, on Wednesday next, the 2d instant, at four o'clock, P. M.

On motion of Mr. Carn, the resolution was ordered to lie on the table ; and

Mr. Carn offered the following resolutions :

*Resolved*, That the President of this Convention is hereby authorized to issue bills, payable at the Bank of the State, providing for the payment of the *per diem* and mileage fees of the members of this Convention, at the same rate allowed to the members of the Legislature.

*Resolved*, That this Convention adjourn at four o'clock, P. M., on Friday next, the 4th instant, until such time as it may be convened by order of the President, or the Committee appointed for that purpose, in case of his death or disqualification.

Mr. Perrin offered the following amendment to the second resolution :

Strike out all after the word "until" and insert "to meet at this

place, Wednesday, the 23d instant, at twelve o'clock, M., unless called together by the President at an earlier day.

On motion, the resolutions and the amendment were ordered to lie on the table.

On motion, the Convention was adjourned.

B. F. ARTHUR,  
*Clerk of the Convention.*

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FRIDAY, JANUARY 4, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. J. Wannamaker.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Appleby,

Atkinson,

Barron,

Barton,

Beaty,

Bellinger,

Bobo,

Bonneau,

Brown, A. H.

Burnet,

Caldwell,

Calhoun,

Campbell,

Carn,

Carroll,

Caughman,

Chesnut,

Cheves,

Clarke,

Curtis,

Messrs. Darby,

Dargan,

Davis,

DeSaussure,

Duncan,

Dunkin,

DuPre,

Ellis,

English,

Evans,

Fair,

Finley,

Flud,

Forster,

Foster,

Furman,

Garlington,

Geiger,

Glover,

Goodwin,

Gourdin, R. N.

## Messrs. Gourdin, T. L.

Grisham,  
 Hanckel,  
 Harllec,  
 Harrison,  
 Hayne,  
 Henderson,  
 Honour,  
 Hopkins,  
 Hunter,  
 Hutson,  
 Inglis,  
 Jackson,  
 Jefferies,  
 Jenkins, John  
 Johnson,  
 Keitt,  
 Kershaw,  
 Kilgore,  
 Kinard,  
 Kinsler,  
 Landrum,  
 Lawton,  
 Lewis,  
 McIver,  
 McKee,  
 McLeod,  
 Maxwell,  
 Mazyck,  
 Means,  
 Memminger,  
 Middleton, John Izard  
 Middleton, Williams  
 Moore,  
 Nowell,  
 Palmer,  
 Parker,

## Messrs. Perrin,

Porcher,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Rutledge,  
 Scott,  
 Seabrook, E. M.  
 Seabrook, G. W., Sr.  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith,  
 Smyly,  
 Spain,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

The President announced the following Committee to call together



the Convention in the event of the death or disqualification of the President :

Messrs. B. F. Dunkin,  
D. L. Wardlaw,  
R. W. Barnwell,  
R. B. Rhett,  
W. W. Harllee.

On motion of Mr. Dunkin, the Convention went into

### SECRET SESSION.

The President read to the Convention certain despatches, which, on motion, were communicated to his Excellency the Governor.

### GENERAL ORDERS.

The Report of the Committee on Commercial Relations and Postal Arrangements, on a communication from his Excellency the Governor, in relation to drafts on the Treasury, was taken up.

Mr. Mazyek offered the following resolution :

*Resolved*, That Mr. B. C. Pressley, late Assistant Treasurer of the United States, at Charleston, be, and he is hereby, instructed and required to retain in his hands and possession, until the further order of this Convention, all money received by him on account of the United States before the withdrawal of this State from the Federal Union : *Provided*, that this order shall not extend to money received from Post Masters, which he shall be authorized to pay to mail contractors in South Carolina, on account of their contracts.

Mr. Withers offered the following amendment, which was accepted by the mover of the resolution :

Whereas, it appears that certain funds are in the custody of B. C. Pressley, Esq., Assistant Treasurer of the United States, which do belong to that power ; but, in consideration that the position of the United States towards South Carolina is equivocal, seeming, however, to this Convention, to wear the aspect of hostility rather than of peace :

*Resolved*, therefore, that the said Sub-Treasurer be directed to hold such funds, subject to the further order of this Convention, to the end, that a proper account for said funds will be made by this State, in con-



nection with other property of the said United States in possession of this State, upon a future final settlement with the said United States.

On motion, the resolution and amendment were ordered to lie on the table.

Mr. Dunkin offered the following resolution, which was agreed to, and was transmitted to his Excellency the Governor :

*Resolved*, That the interdiction on the Assistant Treasurer in relation to drafts on funds in his hands be removed.

The report of the Committee was ordered to lie on the table.

### SPECIAL ORDER.

On motion of Mr. Finley, the Convention proceeded to the consideration of the following resolutions, which had been made the special order of the day for this day, at one o'clock, P. M. :

Whereas, it is expedient that at the earliest practicable period, a Provisional Government should be organized for such of the slaveholding States of the United States of America, as shall secede from the Union of said States ;

And, whereas, it is requisite, to this end, that prompt action should be taken on this subject by the Conventions of the seceding States ;

And, whereas, the plan of a General Convention, to set in motion a Provisional Government, may fail to effect the object proposed, either from being unacceptable to the Conventions of the other seceding States, or from the delay incident to said plan of procedure ; be it therefore

*Resolved*, That it be recommended to each of the Conventions of such of the said States as shall secede previous to the 9th day of February next, to elect at any time between the act of secession and the said 9th day of February, a President and Vice President of the said Provisional Government, one of whom shall not be an inhabitant of the said seceding State ; and the persons having a majority of the votes cast in each of said Conventions, for the offices of President and Vice President, shall be considered entitled to as many votes for said offices in the Provisional Government, as the State thus voting was, while one of the United States, entitled to cast in the election of President and Vice President of the said United States ; and that it be also recommended to each of said Conventions, to elect at the same time

aforesaid two Senators, and as many Representatives as the seceding State was entitled to in the Congress of the United States previous to the act of secession. And that the Senators and Representatives thus elected shall assemble at the City of ——— in the State of ———, on the 13th day of February next, and then and there be organized as the Provisional Congress of the Southern Confederacy, with the Constitution of the United States as a basis for said Provisional Government, so far as the same may be applicable to such a Government; and that it be also recommended to each of the said Conventions, to transmit the result of the votes cast for President and Vice President, in a sealed certificate, signed by the President of said Convention, to the said Congress, so as to be received by them on the day of their assembling, directed to the President of the Senate and Speaker of the House of Representatives; and that on the day following, all of the votes received be counted by them, in the presence of the Senate and House of Representatives, in Congress assembled, and the result declared; and the persons having the greatest number of votes for President and Vice President, shall be the President and Vice President of the said Provisional Government, if such number be a majority of the whole number of votes cast; and if no persons have such majority, then the election for said offices shall be made and conducted by the Senate or House of Representatives, as the case may be, in like manner as is prescribed in the said Constitution of the United States, for the offices of President and Vice President of the said United States; and the persons elected to said offices, either by the said Conventions, or by the Congress of the Southern Confederacy, shall hold the said offices during the period for which the said Provisional Government shall continue to exist, and no longer.

On motion of Mr. Pope, the resolutions were ordered to lie on the table.

Mr. Simons, from the Committee on Engrossed Ordinances, made the following report, which was considered immediately, and was agreed to:

The Committee on Engrossed Ordinances would respectfully report, that "the Declaration of the immediate causes which induce and justify the secession of the State of South Carolina from the Federal Union," has been duly engrossed and enrolled, and having been signed by the President, and attested by the Clerk of the Convention, and the seal of

the State attached thereto, has been deposited in the office of the Secretary of State.

Your Committee would further report, that they have authorized the Secretary of State to procure a suitable box for the proper security and preservation of the various Ordinances, Reports and Resolutions, which have been adopted, and directed to be engrossed by the Convention.

Mr. Thomas Thomson presented the report of the Committee on Accounts on the account of A. J. Burke, for stationery; which was considered immediately, and was agreed to.

Mr. Thomas Thomson offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Committee of Arrangements, from the Delegation of St. Philip and St. Michael, be requested to take in charge for safe keeping the various articles purchased by the Convention for its use, until the further order of the same.

#### GENERAL ORDERS.

The following resolution was agreed to :

*Resolved*, That the Convention proceed forthwith to ballot for eight Deputies, who shall be authorized to meet in Convention such Deputies as may be appointed by the other slaveholding States, who may secede from the Federal Union.

Whereupon, the Convention proceeded to ballot for eight Deputies, provided for in the foregoing resolution.

Mr. Miles, from the Committee on Foreign Relations, made the following report, which was considered immediately, and was agreed to :

The Committee on Foreign Relations, to whom were referred certain resolutions, directing the Governor to make known to Foreign Powers the separation of South Carolina from the Confederacy of the United States of America, beg leave to report : That they have considered the same, and recommend their adoption, with the following amendment to the first resolution : After the words "United States of America," insert the following : "and of the two Addresses setting forth the causes of the withdrawal of South Carolina from the Confederacy of the United States."

Mr. Miles, from the Committee on Foreign Relations, made the fol-

lowing report, which was considered immediately, and was agreed to:

The Committee on Foreign Relations, to whom was referred the Ordinance empowering the Governor of South Carolina, in certain contingencies, to issue letters of marque and reprisal, beg leave to report: That they have duly considered the subject committed to them, and deem it inexpedient that this Convention should take any immediate action thereon.

Mr. F. H. Wardlaw offered the following resolution, which was ordered for consideration to-morrow:

*Resolved*, That upon any adjournment or recess of this Convention, the General Assembly, if in session, be vested with full power to take care that the Commonwealth receive no detriment.

On motion of Mr. McIver, business was suspended at forty-five minutes past one o'clock, P. M., until seven o'clock, P. M.

#### RECESS.

The President resumed the chair.

Mr. Cheves, from the Committee appointed to count the ballots cast for Deputies, reported, that Mr. R. B. Rhett received 92 votes; Mr. R. W. Barnwell, 78 votes; Mr. C. G. Memminger, 66 votes; Mr. W. P. Miles, 61 votes, and Mr. James Chesnut, Jr., 68 votes

And that Messrs. R. B. Rhett, R. W. Barnwell, C. G. Memminger, W. P. Miles and James Chesnut, Jr., having received, respectively, a majority of the ballots cast, were consequently elected.

On motion of Mr. Chesnut, the Convention proceeded to a second ballot for Deputies.

Mr. Quattlebaum presented the report of the Committee on Printing, on a resolution providing for having photographed the Ordinance of Secession; which was ordered for consideration to-morrow.

On motion of Mr. Chesnut, the Convention went into

#### SECRET SESSION.

Mr. R. W. Barnwell, Mr. J. H. Adams, and Mr. J. L. Orr, Commissioners to Washington, attended, and reported to the Convention the result of their mission, together with their correspondence with the President of the United States.



Mr. Means offered the following resolutions :

*Resolved*, That the thanks of this Convention are due, and are hereby given, to our Commissioners for the able and faithful manner in which they have discharged their trust.

*Resolved*, That five thousand copies of their correspondence with the President be printed for general distribution.

Mr. Furman offered the following amendment to the first resolution :

*Resolved*, That this Convention is profoundly sensible of the wisdom and fidelity which have characterized the performance of the high functions with which the Commissioners to Washington were charged by this body.

The amendment was agreed to; and the resolutions, as amended, were agreed to.

Mr. Mazyek offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That in consideration of the very important aid rendered to our Commissioners in advancing the object of their mission, by William H. Trescot, Esquire, the Convention include him in the expression of their profound sense of the meritorious services of the Commission, and place him in all respects on the same footing as one of the Commissioners.

Mr. Curtis, from the Committee appointed to count the ballots cast for Deputies to a Convention of the seceding States, reported, that Mr. L. M. Keitt, Mr. T. J. Withers and Mr. W. W. Boyce, had respectively received a majority of the ballots cast. .

Whereupon, the President announced that Mr. L. M. Keitt, Mr. T. J. Withers and Mr. W. W. Boyce are duly elected.

On motion, the injunction of secrecy was removed from the Report of the Commissioners to Washington, except so much thereof as relates to their conversations with the President.

Mr. Kershaw offered the following resolution, which was considered immediately, and was agreed to; and a copy thereof was sent to his Excellency the Governor :

*Resolved*, That in referring to the Governor and Council for their action, certain resolutions providing for calling into service volunteer



companies for a limited time, it was not intended by this Convention thereby to abrogate or impair the operation of the recent Act of the General Assembly, entitled, "An Act to provide an Armed Military Force."

On motion of Mr. Pope, leave of absence was granted to Mr. Barnwell.

Mr. Bobo offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the President of this Convention be authorized to draw warrants, countersigned by the Cashier, upon the Treasurer of the Lower Division, for the *pro diem* and mileage of the members of this Convention, at the same rates as are allowed members of the General Assembly.

Mr. D. L. Wardlaw offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That Messrs. Keitt and Miles, two of our late Representatives in the Congress of the United States, be requested to prepare for publication a paper, setting forth exactly the understanding which subsisted between them and the President of the United States, and the circumstances which attended the forming of that understanding.

Mr. Campbell offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That this Convention will adjourn to-morrow, to meet at such time and place as it may be convened by the President, under the provisions of the resolutions already passed.

On motion of Mr. Withers, the Convention was adjourned at forty-five minutes past ten o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## SATURDAY, JANUARY 5, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. M. Timmons.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Appleby,

Ayer,

Barron,

Barton,

Beaty,

Bellinger,

Bethea,

Bobo,

Bonneau,

Brabham,

Brown, A. H.

Brown, C. P.

Burnet,

Cain,

Caldwell,

Campbell,

Carn,

Carroll,

Caughman,

Chesnut,

Cheves,

Clarke,

Curtis,

Darby,

Dargan,

DeSaussure,

DeTreville,

Dunkin,

DuPre,

Ellis,

Messrs. English,

Evans,

Fair,

Finley,

Flud,

Forster,

Foster,

Furman,

Garlington,

Geiger,

Gist,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Hanckel,

Harlee,

Harrison,

Hayne,

Henderson,

Honour,

Hopkins,

Hutson,

Inglis,

Ingram,

Jackson,

Jefferies,

Jenkins, John

Johnson,

Keitt,

Kershaw,

Kilgore,

Messrs. Kinard,  
 Kinsler,  
 Lawton,  
 Lewis,  
 Lyles,  
 McCrady,  
 McIver,  
 McKee,  
 McLeod,  
 Maxwell,  
 Mazyek,  
 Middleton, John Izard  
 Middleton, Williams.  
 Moore,  
 Noble,  
 Nowell,  
 O'Hear,  
 Palmer,  
 Parker,  
 Perrin,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rowell,  
 Rutledge,  
 Scott,

Messrs. Seabrook, G. W., Sr.  
 Shingler, J. M.  
 Shingler, W. P.  
 Simpson,  
 Sims,  
 Smith,  
 Smyly,  
 Snowden,  
 Spain,  
 Springs,  
 Stokes,  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Wier,  
 Williams,  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

The President laid before the Convention the following despatch :

NEW ORLEANS, January 3, 1861.

To D. F. JAMISON, *President of the Convention* :

New Orleans fully sympathises with Charleston in the perils to which she is exposed, and will not fail to support her when the occasion demands action.

JOHN T. MONROE, *Mayor*.

The President laid before the Convention the following communication :

January 2, 1861.

HON. D. F. JAMISON, *President of the Convention* :

SIR : Rev. Henry D. Green, a member of the Convention, now at

home on leave of absence, is prevented by sickness from resuming at present his seat in that body. As his attending physician, I would say that his return just now would be highly improper. He asks that the Convention will excuse him until his health improves.

Very respectfully,

H. D. GREEN.

On motion of Mr. Spain, Mr. Green was excused, in compliance with his request.

Mr. Hutson presented an Ordinance to vest in the General Assembly the power to establish Postal Arrangements; which was considered immediately, was agreed to, and was ordered to be signed by the President and the Clerk.

On motion of Mr. Hutson, the Ordinance was committed to the Engraving Committee.

Mr. Keitt offered the following resolution; which was considered immediately, and was agreed to:

*Resolved*, That no officers in any forces, regular or volunteer, raised under order of this Convention, shall, by reason of anything in the Constitution of the State, be disqualified from holding a seat in either House of the General Assembly, or any other office in the State to which he has been, or shall be, appointed.

On motion of Mr. Quattlebaum, Mr. A. Burt, Commissioner to Mississippi, and Mr. A. P. Calhoun, Commissioner to Alabama, were invited to seats on the floor of the Convention.

Mr. Curtis offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That our late Commissioners to Washington be requested to prepare a written statement of the oral communications, to this body, connected with their recent attempts at negotiation with the President of the United States, for the delivery of the forts and other State property, and that said document be deposited with the President of this body, under the injunction of secrecy, until otherwise ordered by this body.

Mr. Quattlebaum, from the Committee on Printing, presented the following report, which was considered immediately, and was agreed to:

That they have placed in the hands of the Printers of the Conven-



tion, the correspondence between the Commissioners of South Carolina and the President of the United States, of which correspondence five thousand copies have been ordered to be printed for the use of the Convention. The Committee recommend that each member of the Convention be allowed twenty copies, and that the balance be distributed under the direction of the Committee.

They further recommend, that the manuscript be returned by the printer to the Clerk of the Convention, as soon as possible, to be transcribed on his journal, and then deposited in the Secretary of State's office, with the several Ordinances of this Convention.

Mr. R. N. Gourdin offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the table, chair, and appurtenances used in Secession Hall on the evening of the 20th December, 1860, for the signature of the Ordinance of Secession, be deposited, with a memorandum of the same, after the final adjournment of the Convention, in the Legislative Library in the State House in Columbia.

Mr. Thomas Thomson offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Clerk, Messenger, Doorkeeper, and Engrossing Clerks of this Convention, receive, severally, as compensation for their services to this day, the same rate of payment in proportion to the time they have served, as is allowed the same officers of the House of Representatives of this State; and the President of the Convention is authorized and directed to issue his warrants upon the Treasury, in the manner already directed, for payment of said officers.

Mr. Porcher presented the accounts of J. L. Barnwell, of F. L. Schouboe, and of P. Brady, for articles furnished, and services rendered, to the Convention; which were severally referred to the Committee on Accounts.

On motion of Mr. D. L. Wardlaw, it was

*Resolved*, That our late Representatives in the Congress of the United States, have leave to print the paper, which they were, by

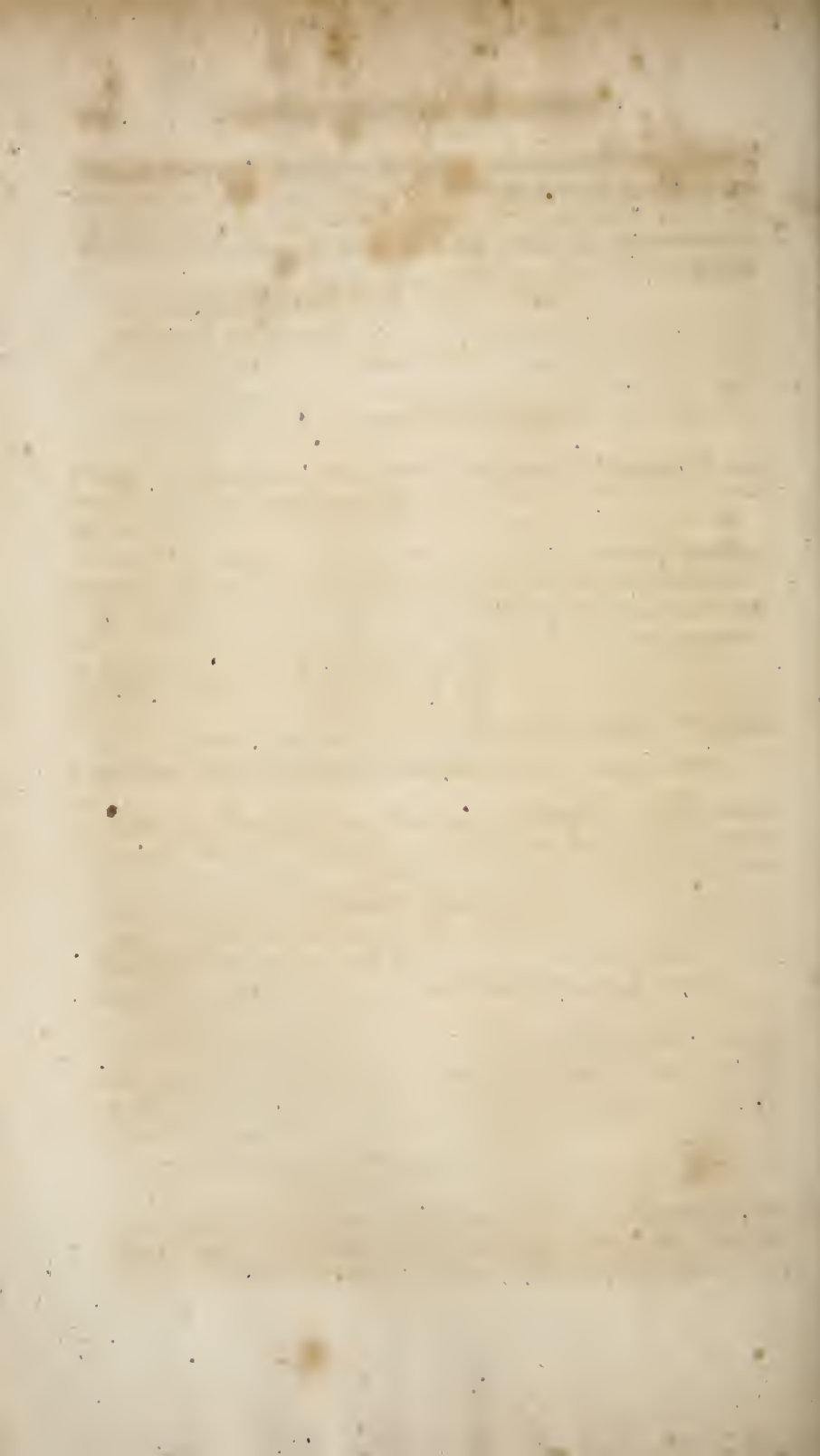


resolution of this Convention, requested to prepare, if, in their opinion, it shall become necessary.

On motion of Mr. Spain, the Convention was adjourned at eleven o'clock, A. M.

B. F. ARTHUR,

*Clerk of the Convention.*



## PROCLAMATION.

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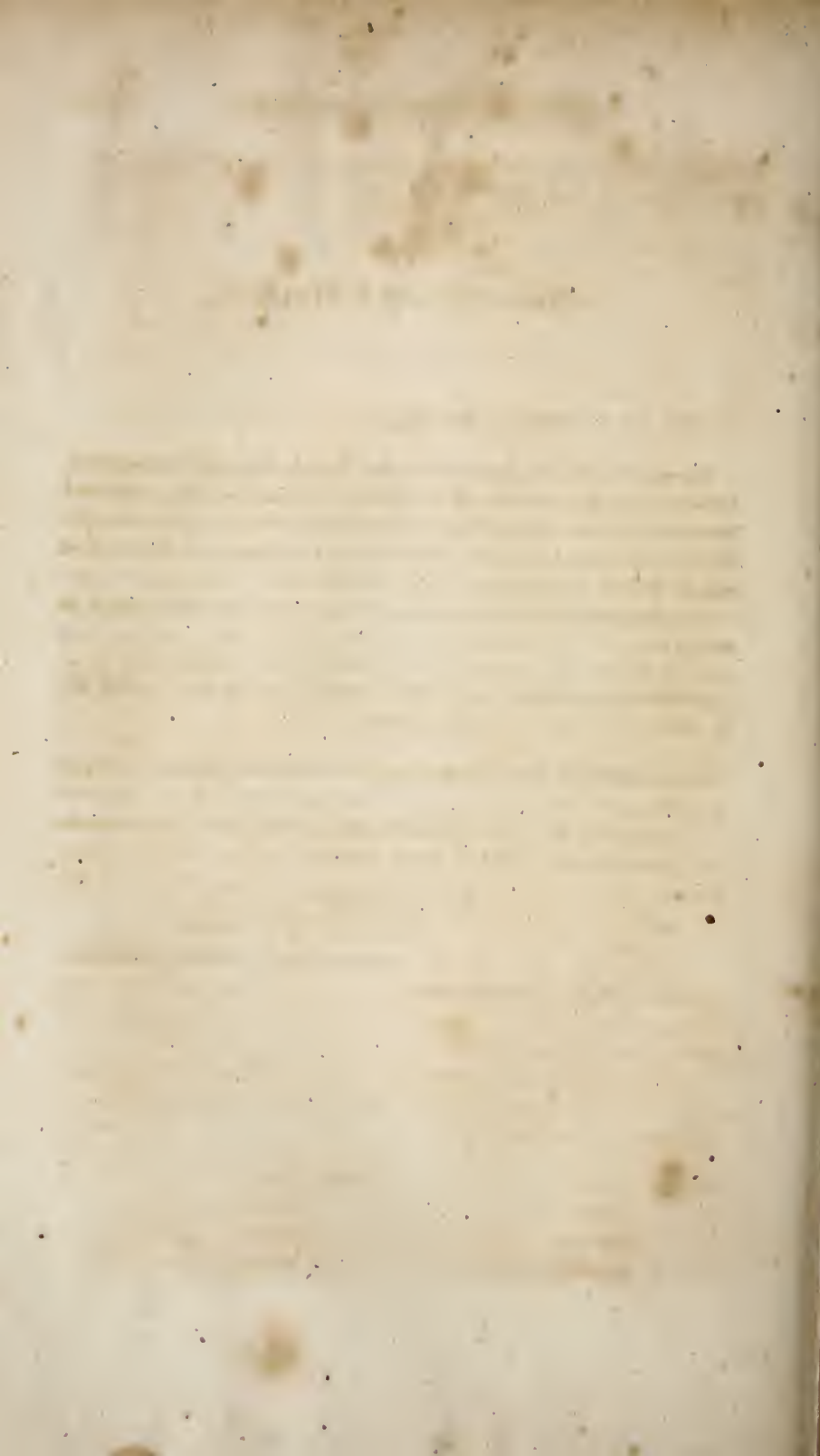
### STATE OF SOUTH CAROLINA:

*Know all Men by these Presents,* That I, DAVID F. JAMISON, President of the Convention of the People of South Carolina, assembled pursuant to an Act of the General Assembly, passed on the thirteenth day of November, in the year of our Lord one thousand eight hundred and sixty, and which adjourned on the fifth day of January, one thousand eight hundred and sixty-one, by virtue of the authority vested in me by the said Convention, do hereby convoke the same, and by these presents do herewith summon the members of said Convention to re-assemble at Charleston, in the State aforesaid, at twelve o'clock, M., on the twenty-sixth day of March, inst.

Given under my hand and seal, at Charleston, this thirteenth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and in the eighty-fifth year of the sovereignty and independence of the State of South Carolina.

D. F. JAMISON,  
*President of the Convention  
of the People of South Carolina.*

Attest: B. F. ARTHUR, *Clerk.*



## SECOND SESSION.

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TUESDAY, MARCH 26, 1861.

Pursuant to the Proclamation of the President of the Convention, issued on the thirteenth day of March, one thousand eight hundred and sixty-one, the Convention of the People of South Carolina reassembled in St. Andrew's Hall, in the City of Charleston, on this day, at twelve o'clock, M.

The President took the chair, and addressed the Convention as follows:

GENTLEMEN: Acting under a resolution of the Convention, authorizing your presiding officer to reassemble this body at such time and place as he might appoint, I have fixed this place, from whence the Convention adjourned, and the earliest practicable moment, for your meeting.

The chief object in calling you together, at this time, is to consider the Constitution of the Confederate States of America, which has been adopted and submitted to us by the Congress at Montgomery, with such other questions as the exigencies of our situation may require.

The President also stated, that under another resolution of the Convention, authorizing the President to appoint the officers of this body, he had appointed D. W. Davis, Messenger, and F. L. Schouboe, Door-keeper, for the Convention.

The proceedings were opened with prayer by Rev. J. G. Landrum; after which the Clerk called the roll, and the following Delegates answered to their names:

Messrs. Adams,  
Allison,  
Appleby,  
Atkinson,

Messrs. Ayer,  
Barnwell,  
Barron,  
Barton,



Messrs. Beaty,  
Bellinger,  
Betha,  
Bobo,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Buchanan,  
Burnet,  
Cain,  
Calhoun,  
Carn,  
Carlisle,  
Carroll,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Darby,  
Davant,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Garlington,

Messrs. Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,  
Hankel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McIver,  
McKee,  
Magrath,  
Manigault,  
Manning,  
Mauldin,

Messrs. Maxwell,	Messrs. Shingler, W. P.
Mayes,	Simons,
Mazyck,	Simpson,
Means,	Sims,
Middleton, John Izard	Smith,
Middleton, Williams	Smyly,
Miles,	Snowden,
Moore,	Spain.
Moorman,	Spratt,
Noble,	Springs,
Nowell,	Stokes,
O'Hear,	Thompson, R. A.
Palmer,	Timmons,
Parker,	Tompkins,
Perrin,	Townsend,
Pope,	Wagner,
Porcher,	Wannamaker,
Pressley,	Wardlaw, D. L.
Quattlebaum,	Wardlaw, F. H.
Rainey,	Watts,
Reed,	Whitner,
Rhett,	Wier,
Rhodes,	Williams,
Richardson, F. D.	Wilson, I. D.
Rowell,	Wilson, J. H.
Scott,	Wilson, W. B.
Seabrook, E. M.	Withers,
Seabrook, G. W., Sr.,	Woods,
Shingler, J. M.	Young.

The Clerk read the journal of the last day of the last session.

The President laid before the Convention the following communication :

CONVENTION OF THE CONFEDERATE STATES OF AMERICA,  
MONTGOMERY, ALABAMA, March 12, 1861.

Hon. D. F. JAMISON, *Charleston* :

SIR : I herewith transmit to you, a certified copy of the Constitution of the Confederate States of America, as it was finally adopted by the unanimous vote of the Convention, to be placed before the State Convention over which you preside, for its approval and ratification.

It will be seen that the Convention here have conformed to the general wish of the people of these States, in adopting a Constitution upon the general principles of the Constitution of the United States. The departures from the provisions of that instrument have been suggested by the experience of the past, and are intended to guard against the evils and dangers which led to the dissolution of the late Union. This Constitution is now submitted, with confidence, to the State Conventions for their action.

Respectfully,

HOWELL COBB,

*President of the Convention C. S. A.*

On motion of Mr. Rhett, it was

*Ordered*, That the communication be entered on the journal, and that five hundred copies of the communication and of the Constitution be printed.

The President laid before the Convention the following communication; which, on motion of Mr. Quattlebaum, was ordered to be entered on the journal:

SOUTH CAROLINA, ABBEVILLE,  
February, 1861.

Hon. D. F. JAMISON, *President*:

I have the honor to acquaint the Convention of the People of the State of South Carolina, that on receiving my credentials, as Commissioner to the Convention of Mississippi, I proceeded immediately to the Capital of that State, and made known to the Convention the objects of my mission.

Among the results of that Convention, were the Ordinance of Secession by that State, and certain resolutions; and these, in compliance with the request of the Convention, I transmitted to the Executive authority of this State.

The action of the Convention of the State of Mississippi was prompt and fraternal, and is a noble response to South Carolina—worthy of a great cause and a gallant people. It is due to the lofty heroism displayed by the State of Mississippi, that it be remembered she was the first of the sisterhood of Southern States to recognize the Sovereignty and Independence of the State of South Carolina, and the first to rush

to her aid in her perilous struggle for the preservation and maintenance of the inestimable rights of the whole South.

With high consideration,

I have the honor to be

Your obedient servant,

ARMISTEAD BURT.

Mr. W. P. Shingler offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That it is the sense of this Convention, that all supplies of provisions and mail facilities, now allowed Major Anderson and the garrison at Fort Sumter, should be immediately cut off.

Mr. A. H. Brown offered the following resolution, which was ordered for consideration to-morrow, and to be printed :

*Resolved*, That the People of South Carolina, in Convention assembled, cordially approve the election of Jefferson Davis to the Presidency, and Alexander H. Stephens to the Vice Presidency, of the Provisional Government of the Confederate States of America; and have entire confidence in their experience, patriotism and ability to shape and guide the destinies of the new Republic.

Mr. Mazyek offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That after printed copies of the Articles agreed upon by the Convention at Montgomery as the Constitution of the Confederate States of America, shall have been furnished to the members of this Convention, any amendments which may be offered shall be considered in the order in which they are proposed.

Mr. Simons offered the following Ordinance, which was referred to the Committee on the Constitution of the State :

#### AN ORDINANCE

Declaratory of the true construction of an Ordinance entitled "An Ordinance concerning Citizenship."

*Whereas*, doubts have arisen whether, under the terms of the "Ordinance concerning Citizenship," passed on the first day of January, in the year of our Lord one thousand eight hundred and sixty-one,



are included those persons who were, at the date of the Ordinance of Secession, citizens of the State of South Carolina, but residing without the limits of the said State ;

Now, therefore, we, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that all persons who were citizens of the State of South Carolina, at the date of the Ordinance of Secession, to wit : on the twentieth day of December, in the year of our Lord one thousand eight hundred and sixty, though not resident therein, are hereby declared to be, and to continue, citizens of the said State, until they shall have renounced their allegiance thereto.

Mr. Manigault offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That the Constitution of the United States, adopted in 1789, be printed in parallel columns with the Constitution adopted by the Congress at Montgomery :

On motion of Mr. Adams, the resolution to print the Constitution of the Confederate States of America was reconsidered ; and

Mr. Adams offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Constitution of the United States, adopted in 1789, be printed in parallel columns with the Constitution adopted by the Congress at Montgomery.

Mr. Magrath offered the following resolutions, which were seconded by Mr. Dunkin, and *unanimously* agreed to :

*Resolved*, That this Convention receives, with deep regret, the intelligence of the death of Henry W. Conner, late one of its members.

*Resolved*, That in the enlightened enterprise and patriotic devotion of Henry W. Conner, the State of South Carolina has recognized the qualities which have contributed to advance her material prosperity, and sustain her political independence.

*Resolved*, That the Secretary of this Convention communicate these resolutions to the family of the deceased.

Mr. I. D. Wilson offered the following resolutions, which were *unanimously* agreed to :



*Resolved*, That this Convention have heard, with deep sensibility, of the death of Julius A. Dargan, a member of this Convention.

*Resolved*, That we unite in sympathy with the family, to whom a copy of these resolutions be sent.

On motion of Mr. Withers, and as a further mark of respect to the memory of the deceased, the Convention was adjourned, to meet tomorrow, at twelve o'clock, M.

B. F. ARTHUR,

*Clerk of the Convention.*

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WEDNESDAY, MARCH 27, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,

Allison,

Appleby,

Atkinson,

Ayer,

Barnwell,

Barron,

Barton,

Beaty,

Bellinger,

Bethea,

Bobo,

Bonneau,

Brabham,

Brown, A. H.

Brown, C. P.

Burnet,

Messrs. Caldwell,

Calhoun,

Campbell,

Carlisle,

Carn,

Carroll,

Caughman,

Cauthen,

Charles,

Chesnut,

Cheves,

Clarke,

Crawford,

Darby,

Davant,

Davis,

DeSaussure,

Messrs. DeTreville,

Duncan,

Dunkin,

Dunovant, A. Q.

Dunovant, R. G. M.

DuPre,

English,

Evans,

Fair,

Flud,

Forster,

Foster,

Frampton,

Furman,

Gadberry,

Garlington,

Geiger,

Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Green,

Gregg, Maxey

Gregg, William

Grisham,

Haumond,

Hankel,

Harlee,

Harrison,

Hayne,

Henderson,

Honour,

Hopkins,

Hunter,

Hutson,

Inglis,

Ingram,

Jackson,

Jefferies,

Messrs. Jenkins, John

Jenkins, J. E.

Johnson,

Keitt,

Kershaw,

Kilgore,

Kinard,

Kinsler,

Landrum,

Lewis,

Logan,

McIver,

McKee,

McLeod,

Magrath,

Manigault,

Manning,

Maxwell,

Mayes,

Mazyck,

Means,

Middleton, John Izard

Middleton, Williams

Miles,

Moore,

Moorman,

Noble,

Nowell,

O'Hear,

Orr,

Palmer,

Parker,

Perrin,

Pope,

Poreher,

Pressley,

Quattlebaum,

Rainey,

Reed,

Rhett,

Messrs. Rhodes,

Richardson, F. D.

Richardson, J. P.

Robinson,

Rowell,

Rutledge,

Scott,

Seabrook, E. M.

Sessions,

Shingler, J. M.

Shingler, W. P.

Simons,

Simpson,

Sims,

Smith,

Smyly,

Snowden,

Spain,

Spratt,

Springs,

Messrs. Stokes,

Thompson, R. A.

Thomson, Thomas

Timmons,

Tompkins,

Townsend,

Wagner,

Wannamaker,

Wardlaw, D. L.

Wardlaw, F. H.

Watts,

Whitner,

Wier,

Williams,

Wilson, I. D.

Wilson, J. H.

Wilson, W. B.

Withers,

Woods,

Young.

The journal of yesterday's proceedings was read.

Mr. Rhett read to the Convention a resolution adopted by the Congress of the Confederate States, at Montgomery; and

Mr. Rhett offered the following resolution :

*Resolved*, That when the Constitution of the Confederate States is taken up for consideration, it shall be considered in secret session; and the President of the Convention is hereby authorized and required to employ two competent stenographers to report the debates and proceedings which shall take place on said Constitution.

Pending the discussion thereof by Mr. Maxey Gregg, Mr. E. M. Seabrook rose to a question of order.

The President decided the discussion in order.

Whereupon, Mr. Barnwell appealed from the decision of the President; and, the question being put, will the Convention sustain the decision of the Chair? it passed in the negative:

Yeas, 39; nays, 119.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Adams,  
Allison,  
Appleby,  
Atkinson,  
Bonneau,  
Brabham,  
Brown, C. P.  
Burnet,  
Caldwell,  
Calhoun,  
Clarke,  
Darby,  
Evans,  
Flud,  
Gregg, Maxcy  
Henderson,  
Jenkins, John  
Jenkins, J. E.  
Kershaw,

Messrs. Kinsler,  
McLeod,  
Manigault,  
Mazyek,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Nowell,  
O'Hear,  
Rutledge,  
Scott,  
Shingler, J. M.  
Simons,  
Smith,  
Snowden,  
Spratt,  
Wagner,  
Wardlaw, F. H.  
Williams.

Those who voted in the negative, are

Messrs. Ayer,  
Barnwell,  
Barron,  
Barton,  
Beaty,  
Betha,  
Bobo,  
Brown, A. H.  
Cain,  
Campbell,  
Carn,  
Carlisle,  
Carroll,  
Caughman,  
Cauthen,

Messrs. Charles,  
Chesnut,  
Cheves,  
Crawford,  
Davant,  
Davis,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,

Messrs. English,  
Fair,  
Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Hankel,  
Harlee,  
Harrison,  
Hayne,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Keitt,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McIver,

Messrs. McKee,  
Magrath,  
Manning,  
Maxwell,  
Mayes,  
Means,  
Miles,  
Moorman,  
Noble,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robinson,  
Rowell,  
Seabrook, E. M.  
Sessions,  
Shingler, W. P.  
Simpson,  
Sims,  
Smyly,  
Spain,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,



Messrs. Wardlaw, D. L.

Watts,

Wier,

Wilson, I. D.

Wilson, J. H.

Messrs. Wilson, W. B.

Withers,

Woods,

Young.

Mr. John Izard Middleton offered the following amendment, which, on motion of Mr. Reed, was ordered to lie on the table :

*Resolved*, That our Delegates to Montgomery be heard in secret session in relation to the discussions on the subject of the Constitution for the Confederate States of America.

• On motion of Mr. Fair, the resolution was amended by striking out the words : “ and the President of the Convention is hereby authorized and required to employ two competent stenographers to report the debates and proceedings which shall take place on said Constitution.”

The question being put, will the Convention agree to the resolution ? it passed in the affirmative :

Yeas, 129 ; nays, 29.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President ; and

Messrs. Allison,

Atkinson,

Ayer,

Barnwell,

Barron,

Barton,

Beaty,

Bellinger,

Bethea,

Bobo,

Brabham,

Brown, A. H.

Cain,

Caldwell,

Calhoun,

Campbell,

Carn,

Messrs. Carlisle,

Carroll,

Caughman,

Cauthen,

Charles,

Chesnut,

Cheves,

Clarke,

Crawford,

Davis,

DeSaussure,

DeTreville,

Duncan,

Dunkin,

Dunovant, A. Q.

Dunovant, R. G. M.

DuPre,

Messrs. Easley,  
Ellis,  
English,  
Fair,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harllee,  
Harrison,  
Hayne,  
Honour,  
Hopkins,  
Hunter,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Keitt,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrady,

Messrs. McKee,  
McLeod,  
Magrath,  
Manning,  
Maxwell,  
Mayes,  
Means,  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Scott,  
Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simpson,  
Sims,  
Smyly,  
Snowden,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas

Messrs. Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Watts,  
 Whitner,

Messrs. Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Those who voted in the negative, are

Messrs. Adams,  
 Bonneau,  
 Brown, C. P.  
 Burnet,  
 Darby,  
 Davant,  
 Evans,  
 Gist,  
 Gregg, Maxey  
 Henderson,  
 Hutson,  
 Jenkins, John  
 Jenkins, J. E.  
 Kinsler,  
 Melver,

Messrs. Manigault,  
 Mazyck,  
 Middleton, J. Izard  
 Middleton, W.  
 Pressley,  
 Richardson, F. D.  
 Rutledge,  
 Simons,  
 Smith,  
 Spain,  
 Spratt,  
 Wagner,  
 Wardlaw, F. H.  
 Williams.

So the resolution was agreed to.

Mr. James Conner, Delegate from St. Philip's and St. Michael's, elected to fill the vacancy occasioned by the death of Mr. H. W. Conner, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

The President laid before the Convention the following communications, which were severally ordered to be entered on the journal:

CHARLESTON, March 27, 1861.

To the Hon. D. F. JAMISON,

*President of the Convention of S. C. :*

DEAR SIR: Having been honored, on the 1st January last, with an appointment to present to the people of Florida, in Convention assembled, a copy of the Ordinance of Secession, and of a plan for a Provi-

sional Government, adopted by this Convention, I have the honor to report:

That I started at once upon my mission, and arriving at Tallahassee, Florida, where the Convention was then in session, and exhibiting my credentials, I was invited to appear before the Convention, and deliver my communications. This invitation was complied with, as soon as I was advised of the readiness to receive me, and I have the pleasure to report that I was heard with respect. That soon thereafter, the Convention adopted an Ordinance of Secession, and concurred with this Convention in the plan for a Provisional Government proposed. Official copies of these Acts were furnished me, under the order of the Convention, and returning to Charleston, I placed the same in the hands of the Honorable Secretary of State for South Carolina.

With great respect, I am,

Your obedient servant,

L. W. SPRATT.

CHARLESTON, March 27, 1861.

Hon. D. F. JAMISON,

*President of the Convention*

*of the People of South Carolina:*

SIR: I have the honor to report, that in obedience to the expressed wish of the Convention, I was in attendance on the Convention of the people of Arkansas, which assembled at Little Rock, on the 4th inst.

I communicated to that body the papers entrusted to my charge, and regret to state, that I have not received any official response.

Respectfully,

A. C. SPAIN.

ANDERSON, 7th February, 1861.

Hon. D. F. JAMISON:

SIR: As Commissioner from this State to the Georgia Convention, I have the honor to report, that I proceeded to Milledgeville, and, upon its organization, I addressed the enclosed communication to the Convention.

I was invited to address the Convention in explanation of the objects and purposes of my mission, and I accepted the invitation.

The final action of the body has already been communicated to the public.

The decisive and unanimous voice of the great State of Georgia in

asserting her independence of federal wrong and oppression, settles the question of the complete success of the secession movement of the Cotton States at least.

I have the honor to be,

Very respectfully, your ob't serv't.

JAMES L. ORR.

CHARLESTON, March 27, 1861.

To the Hon. D. F. JAMISON,

*President of the Convention of South Carolina :*

SIR: In conformity with instructions from the body over which you preside, I proceeded, at a proper time, to the seat of government of Louisiana, and formally laid before the Convention of that State the Ordinance of Secession of South Carolina, and, moreover to ask its coöperation in the formation of a Southern Union of Confederate States.

The action of that distinguished body is already a part of the history of a great revolution, and cannot fail to be a cause of satisfaction to this body, and to the people of this State.

I cannot forbear, sir, to express my sense of the cordial, prompt and decided response which was given to the message from this State, and the personal courtesy which was extended to me as the bearer of it.

I have the honor to be,

With high respect,

Your obedient servant,

JOHN L. MANNING.

The President laid before the Convention the following communication :

CHARLESTON, S. C., March 26, 1861.

Hon. D. F. JAMISON,

*President of the Convention of South Carolina :*

SIR: Should it be the desire of the members of the Convention to visit the fortifications erected for the defence of the harbor of Charleston, it will afford me great pleasure to accompany them on such a visit, at any time they may designate as most convenient to themselves.

I am, Sir, with much respect,

Your obedient servant,

G. T. BEAUREGARD,

*Brigadier General Commanding.*



On motion of Mr. Adams, the invitation was accepted, and Saturday next designated as the day for visiting the fortifications.

Mr. Rhett introduced the following Ordinance, which, on motion of Mr. Rhett, was ordered to lie on the table, and to be printed :

#### AN ORDINANCE

Ordering a Convention of the People of the State of South Carolina on a certain contingency.

Whereas, experience has proved that the slaveholding and non-slaveholding States cannot live in peace under the same government,

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That, should any State hereafter be admitted into the confederacy of the Confederate States, which, by its Constitution, does not tolerate slavery within its limits, and provide for its protection by suitable legislation, the Governor of the State of South Carolina is hereby ordered, forthwith, to summon, by proclamation, the People of the State of South Carolina to assemble in Convention; and he shall issue writs of election, determining the time and place of holding the same, and the time and place of the assembling of the said Convention, conforming, as far as they are applicable, to the provisions of the Act of the Legislature whereby this Convention was called.

Mr. John Izard Middleton introduced

An Ordinance to ratify the Provisional Constitution and Government of the Confederate States of America; which was ordered to be placed on the Calendar of the secret sessions, and to be printed.

Mr. Mazyek presented the report of the Committee appointed to enquire how much of the legislation of Congress is abrogated by the secession of the State; which was ordered for consideration to-morrow, and to be printed.

Mr. Glover offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Committee on the Constitution enquire and report, if any of the Ordinances adopted by this Convention should be repealed or modified; and that said Committee do also enquire and report, if any further alterations of the Constitution of this State be necessary and proper.

Mr. Inglis introduced

An Ordinance to ratify the Permanent Constitution for the Confederate States of America, and suggesting amendments thereto; which was ordered to be placed in the Calendar of the secret sessions, and to be printed.

Mr. Hutson introduced

An Ordinance to provide for the appointment of Electors of President and Vice-President of the Confederate States of America; which was ordered to lie on the table.

Mr. Hutson introduced

An Ordinance further to amend the fourth section of the first Article of the Constitution of this State;

An Ordinance to repeal sundry Ordinances done by the People of South Carolina in Convention;

An Ordinance to amend the ninth Article of the Constitution of the State of South Carolina; and

An Ordinance to amend an Ordinance, entitled "An Ordinance to alter the Constitution of the State of South Carolina," by striking out certain words in sundry places; which were severally referred to the Committee on the Constitution of the State.

The President stated that he had been requested by the Chairman of the Managing Committee of the Charleston Club, to extend the hospitalities of that Club to the members of Convention during the present session.

On motion of Mr. D. L. Wardlaw, it was ordered that when this Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

On motion the Convention was adjourned at five minutes past three o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

## THURSDAY, MARCH 28, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. H. Honour.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,

Allison,

Appleby,

Atkinson,

Ayer,

Barnwell,

Barron,

Barton,

Beaty,

Bellinger,

Bethea,

Bobo,

Bonneau,

Brabham,

Brown, A. H.

Brown, C. P.

Burnet,

Cain,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Carn,

Carroll,

Caughman,

Cauthen,

Charles,

Chesnut,

Cheves,

Clarke,

Conner,

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Messrs. Crawford,

Darby,

Davant,

Davis,

DeSaussure,

DeTreville,

Duncan,

Dunkin,

Dunovant, A. Q.

Dunovant, R. G. M.

DuPre,

Easley,

Ellis,

English,

Evans,

Fair,

Flud,

Forster,

Foster,

Frampton,

Furman,

Gadberry,

Garlington,

Geiger,

Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Green,

Gregg, Maxcy

## Messrs. Gregg, William

Grisham,  
Hammond,  
Hankel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilcore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Middleton, John Izard

## Messrs. Middleton, Williams

Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Rutledge,  
Scott,  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simpson,  
Sims,  
Smith,  
Smyly,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,

Messrs. Wagner,

Wannamaker,

Wardlaw, D. L.

Wardlaw, F. H.

Watts,

Whitner,

Wier,

Messrs. Williams,

Wilson, I. D.

Wilson, J. H.

Wilson, W. B.

Withers,

Woods,

Young.

The journal of yesterday's proceedings was read.

Mr. Thomas Smith, Delegate elected from Darlington District, to fill the vacancy occasioned by the death of Mr. Julius A. Dargan, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

Mr. Rhett introduced the following Ordinance, which was referred to the Committee on Relations with the Slaveholding States of North America, and was ordered to be printed :

#### AN ORDINANCE

Ceding the possession of the Forts, Arsenals and Marine Hospitals to the Confederate States.

Whereas, the Congress of the Confederate States has recommended to the respective States to cede the Forts, Arsenals, Navy Yards, Dock Yards, and other public establishments within their respective limits, to the Confederate States :

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That the absolute and exclusive possession and control of all the Forts, Arsenals, or Marine Hospitals, in this State, lately occupied by the Government of the United States, be, and the same are hereby, ceded to the Confederate States of America, under this following condition, however : That should, at any time hereafter, two-thirds of both branches of the Legislature of this State, or the People of this State assembled in Convention, require of the President of the Confederate States that the said Forts, Arsenals, or Marine Hospitals, shall be surrendered up and restored to the possession of this State, the said request shall be promptly complied with.

A communication was received from his Excellency the Governor, and was read by his private Secretary, Mr. Shaekleford.

On motion of Mr. Harlee, the communication was made the special



order of the day for to-morrow, at one o'clock; P. M., and was ordered to be printed; and the accompanying documents were ordered to lie on the table.

### GENERAL ORDERS.

The report of the Committee on Printing, on a resolution to have the Ordinance of Secession photographed, was ordered to lie on the table.

On motion of Mr. Quattlebaum, the General Orders were suspended; and

Mr. Quattlebaum presented the report of the Committee on Printing, recommending that Messrs. Evans & Cogswell be requested to furnish two hundred lithographic copies of the Ordinance of Secession for the use of the Convention; which was considered immediately; and the question being put, will the Convention agree to the report? it passed in the affirmative: .

Yeas, 99; nays, 63.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,	Messrs. Crawford,
Appleby,	Darby,
Atkinson,	Davant,
Barnwell,	Davis,
Bethea,	DeSaussure,
Bobo,	DeTreville,
Bonneau,	Duncan,
Brown, A. H.	Dunkin,
Burnet,	DuPre,
Cain,	Ellis,
Caldwell,	English,
Calhoun,	Flnd,
Campbell,	Forster,
Carlisle,	Frampton,
Carn,	Furman,
Carroll,	Geiger,
Caughman,	Gist,
Cauthen,	Gourdin, R. N.
Charles,	Gregg, Maxey,
Cheves,	Gregg, William

Messrs. Hammond,  
 Hanckel,  
 Harllee,  
 Harrison,  
 Hayne,  
 Henderson,  
 Honour,  
 Hutson,  
 Inglis,  
 Ingram,  
 Jackson,  
 Jenkins, J. E.  
 Kilgore,  
 Kinard,  
 Kinsler,  
 Landrum,  
 Lyles,  
 McKee,  
 McLeod,  
 Magrath,  
 Manigault,  
 Manning,  
 Mazyck,  
 Means,  
 Miles,  
 Moore,  
 Moorman,  
 Noble,  
 O'Hear,

Messrs. Palmer,  
 Parker,  
 Pope,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Rowell,  
 Rutledge,  
 Scott,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, J. M.  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Smyly,  
 Snowden,  
 Spratt,  
 Stokes,  
 Tompkins,  
 Townsend,  
 Wardlaw, F. H.  
 Whitner,  
 Wilson, J. H.

Those who voted in the negative, are

Messrs. Adams,  
 Ayer,  
 Barron,  
 Barton,  
 Beaty,  
 Bellinger,  
 Brabham,  
 Brown, C. P.

Messrs. Chesnut,  
 Clarke,  
 Conner,  
 Dunovant, A. Q.  
 Dunovant, R. G. M.  
 Easley,  
 Evans,  
 Fair,

## Messrs. Foster,

Gadberry,  
 Garlington,  
 Glover,  
 Goodwin,  
 Gourdin, T. L.  
 Green,  
 Grisham,  
 Hopkins,  
 Hunter,  
 Jefferies,  
 Jenkins, John  
 Johnson,  
 Keitt,  
 Kershaw,  
 Lewis,  
 Logan,  
 McCrady.  
 Melver,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Middleton, J. Izard  
 Middleton, W.

## Messrs. Nowell,

Orr,  
 Perrin,  
 Reed,  
 Robinson,  
 Shingler, W. P.  
 Simpson,  
 Spain,  
 Springs,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Wagner,  
 Wannamaker,  
 Wardlaw, D. L.  
 Watts,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

So the report was agreed to.

Mr. Quattlebaum offered the following resolutions:

*Resolved*, That Gen. P. G. T. Beauregard, now commanding the military forces in the vicinity of Charleston, by order of the Provisional Government of the Confederate States of America, and with the approval of the Executive authority of South Carolina, be allowed the privileges of a seat on the floor of the Convention, whenever it may suit his convenience to be present at any other than the secret sessions thereof.

*Resolved*, That a Committee of three be appointed to make known to Gen. Beauregard the purport of the foregoing resolution.

Mr. Adams offered the following amendment, which was agreed to:

*Resolved*, That the President of the Convention extend to Gen. Beauregard the privilege of a seat on the floor of the Convention.

Mr. Manigault offered the following resolutions, which were ordered for consideration in secret session, and to be printed :

1. *Resolved*, That in the Constitution adopted by the Congress of the Confederate States, at Montgomery, many, but not all, of the material defects of the Constitution of 1787, pointed out by the experience of seventy years, have been amended or removed.

2. *Resolved*, That before this Convention ratifies the Constitution adopted at Montgomery, we feel bound to express our conviction that it is imperfect and objectionable, and ought to be amended on the following points :

1st. In leaving open the door to the admission of non-slaveholding States into this Confederacy.

2d. In adopting the basis of only three-fifths of the slaves in calculating federal population.

3d. In granting to the Government of the Confederacy an unlimited power of indirect taxation.

4th. In making the prohibition to import Africans a constitutional principle, and not merely giving to the Confederate Government the power to prohibit it as a matter of expediency, and in not putting the Coolie trade on the same footing.

5th. In continuing the Post Office monopoly in the hands of the Confederate Government.

Mr. Hutson proposed to introduce certain resolutions; Mr. Dunkin objected; and the question being put, will the Convention now receive this? it passed in the negative :

Yeas, 60; nays, 94.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Adams,

Ayer,

Bellinger,

Bonneau,

Brown, C. P.

Burnet,

Cain,

Caldwell,

Calhoun,

Messrs. Campbell,

Carn,

Carroll,

Chesnut,

Clarke,

Darby,

Davant,

DeSaussure,

Evans,

Messrs. Flüd,  
Forster,  
Frampton,  
Furman,  
Gist,  
Glover,  
Gourdin, R. N.  
Gregg, Maxey  
Henderson,  
Inglis,  
Jenkins, John  
Keitt,  
Kershaw,  
Kinsler,  
McIver,  
McLeod,  
Magrath,  
Manigault,  
Mazyck,  
Middleton, John Izard  
Middleton, Williams

Messrs. Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Pressley,  
Rhett,  
Richardson, F. D.  
Rutledge,  
Scott,  
Seabrook, E. M.  
Shingler, J. M.  
Simons,  
Smith, J. J. P.  
Snowden,  
Spain,  
Spratt,  
Stokes,  
Wagner,  
Wilson, J. H.

Those who voted in the negative, are

Messrs. Allison,  
Atkinson,  
Barnwell,  
Barron,  
Barton,  
Beaty,  
Betha,  
Bobo,  
Brabham,  
Brown, A. H.  
Carlisle,  
Caughman,  
Cauthen,  
Charles,  
Cleves,  
Conner,

Messrs. Crawford,  
Davis,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
DuPre,  
Ellis,  
English,  
Fair,  
Foster,  
Garlington,  
Geiger,  
Goodwin,  
Gourdin, T. L.  
Green,



Messrs. Gregg, William

Grisham,

Hammond,

Hanckel,

Harrisou,

Hayne,

Honour,

Hopkins,

Hunter,

Ingram,

Jefferies,

Jenkins, J. E.

Johnson,

Kilgore,

Kinard,

Landrum,

Lewis,

Logan,

Lyles,

McCrary,

McKee,

Manning,

Mauldin,

Maxwell,

Mayes,

Means,

Miles,

Moore,

Orr,

Parker,

Perrin,

Messrs. Pope,

Poreher,

Quattlebaum,

Rainey,

Reed,

Rhodes,

Robinson,

Rowell,

Sessions,

Shingler, W. P.

Simpson,

Sims,

Smith, Thomas

Suely,

Springs,

Thompson, R. A.

Timmons,

Tompkins,

Townsend,

Wanhamaker,

Wardlaw, D. L.

Wardlaw, F. H.

Watts,

Whitner,

Wier,

Williams,

Wilson, L. D.

Wilson, W. B.

Withers,

Woods,

Young.

So the resolutions were not received.

Mr. Pope offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That all amendments in the shape of resolutions or Ordinances, to be proposed to the Constitution submitted to this Convention for the Confederate States, be offered in secret session only.

On motion of Mr. Carn, it was-

*Ordered*, That when this Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

Mr. D. L. Wardlaw offered the following resolution, which was made the special order of the day for to-morrow, at twelve o'clock, M.:

*Resolved*, That a motion to sit with closed doors be a privileged motion, which may be made whenever a motion to take a recess might be.

Mr. F. H. Wardlaw proposed to introduce certain resolutions; Mr. John Izard Middleton objected; and the question being put, will the Convention now receive this? it passed in the negative:

Yeas, 1; nays, 144.

The yeas and nays were demanded, and are as follows:

Mr. F. H. Wardlaw voted in the affirmative; and those who voted in the negative, are

Hon. D. F. JAMISON, President, and

Messrs. Adams,

Allison,

Atkinson,

Ayer,

Barron,

Barton,

Beaty,

Bellinger,

Bethea,

Bobo,

Bonneau,

Brabham,

Brown, A. H.

Brown, C. P.

Burnet,

Cain,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Carn,

Messrs. Carroll,

Caughman,

Cauthen,

Charles,

Cheves,

Clarke,

Conner,

Crawford,

Darby,

Davant,

Davis,

DeSaussure,

DeTreville,

Duncan,

Dunkin,

Dunovant, A. Q.

Dunovant, R. G. M.

DuPre,

Ellis,

English,

Evans,

## Messrs. Flud,

Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Logan,  
Lyles,  
McCrady,

## Messrs. McIver,

McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyek,  
Means,  
Middleton, John Izard  
Middleton, Williams.  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhodes,  
Robinson,  
Rowell,  
Rutledge,  
Scott,  
Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Sims,

Messrs. Smith, J. J. P  
Smith, Thomas  
Smyly,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Stokes,  
Thompson, R. A.  
Timmons,  
Tompkins,

Messrs. Townsend,  
Wannamaker,  
Watts,  
Whitner,  
Wier,  
Williams,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Woods.

So the resolutions were not received.

On motion of Mr. McCrady, leave of absence was granted to Mr. Cauthen, on account of sickness in his family.

On motion of Mr. Rhett, the Convention was adjourned at three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

### FRIDAY, MARCH 29, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. J. Wannamaker.

The Clerk called the roll, and the following Delegates answered to their names:

Messrs. Adams,  
Allison,  
Appleby,  
Atkinson,  
Ayer,  
Barnwell,  
Barron,  
Barton,  
Beaty,

Messrs. Bethea,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Burnet,  
Cain,  
Caldwell,  
Calhoun,

Messrs. Carlisle,  
Carn,  
Caughman,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Darby,  
Davant,  
Davis,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,

Messrs. Harllee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
Logau,  
Lyles,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Middleton, John Izard  
Middleton, Williams  
Miles,  
Moore,  
Noble,  
Nowell,  
O'Hear,  
Orr,



Messrs. Palmer,	Messrs. Smyly,
Parker,	Snowden,
Perrin,	Spain,
Pope,	Spratt,
Poreher,	Springs,
Quattlebaum,	Stokes,
Rainey,	Thompson, R. A.
Rhett,	Timmons,
Rhodes,	Tompkins,
Robinson,	Wannamaker,
Rowell,	Wardlaw, D. L.
Rutledge,	Wardlaw, F. H.
Scott,	Watts,
Seabrook, E. M.	Whitner,
Sessions,	Wier,
Shingler, J. M.	Williams,
Shingler, W. P.	Wilson, I. D.
Simons,	Wilson, J. H.
Simpson,	Wilson, W. B.
Sims,	Withers,
Smith, Thomas	Woods,
Smith, J. J. P.	Young.

The journal of yesterday's proceedings was read.

The President announced that Mr. James Conner is added to the Committee on the Constitution of the State; and that Mr. Thomas Smith is added to the Committee on Commercial Relations and Postal Arrangements.

Mr. John Izard Middleton offered the following resolutions:

1. *Resolved*, That the true policy of South Carolina consists in the establishment of free trade, and her people never will consent to yield obedience to any government that violates a policy so essential to their prosperity.

2. *Resolved*, That it is indispensable to the success of our agriculture, and the profitable development of the mechanic arts amongst us, that the labor markets of the world should be open to us.

3. *Resolved*, That the right of self-government by the people of this State was acquired through the Revolution of 1776, and ought never to be held subject to the limitations of a government national in its character, whilst it would be perfectly safe under a Federative system.

4. *Resolved*, That all attempts to mingle, with any good result, National and Federal systems have proved abortive, and will always be followed by unhappy consequences, and are therefore to be avoided.

5. *Resolved*, That a slaveholding community that allows itself to be governed or controlled, in any particular, by a non-slaveholding community, must be alike blind to what is essential to its honor, its interests; its safety, and the happiness of its people.

6. *Resolved*, That the permanent Constitution of the Confederate States of America, agreed upon at Montgomery, Alabama, and recommended to our acceptance, not permitting to us the establishment of the policy of free trade; taking out of our hands (employed, as we are, in the cultivation of semi-tropical products,) the control of our supply of labor, by a positive prohibition, giving us no efficient guaranty of the right and power of self-government at home, mingling, as it does, the National and Federative systems, and permitting the eventual accession of Anti-Slavery communities to our Confederacy by the absence of a constitutional prohibition, cannot be accepted by South Carolina, unless it be amended in all of the particulars above specified.

#### SPECIAL ORDER.

Pending the reading of the resolutions, on motion of Mr. D. L. Wardlaw, the Convention proceeded to the consideration of the following resolution, which had been made the special order of the day for this day, at twelve o'clock, M. :

*Resolved*, That a motion to sit with closed doors be a privileged motion, which may be made whenever a motion to take a recess might be;

And, pending the consideration thereof, on motion of Mr. Keitt, the Convention went into

#### SECRET SESSION.

The Convention resumed the consideration of the following resolution:

*Resolved*, That a motion to sit with closed doors be a privileged motion, which may be made whenever a motion to take a recess might be.

Two-thirds of the members present having voted in the affirmative, the resolution was agreed to.

The Convention proceeded to the consideration of the Constitution of the Confederate States of America.

The Constitution was read by the Clerk.

Mr. D. L. Wardlaw offered the following resolution :

The Constitution having been read, *Resolved*, That in the further consideration of the instrument, observations from any member shall be heard in reference to any part of it; but no question on it shall be taken until the question of ratification or rejection shall have been decided. If ratified, suggestions of amendment may be afterwards considered and disposed of. If rejected, the conditions upon which it might be accepted may be considered.

Mr. Furman offered the following amendment :

*Resolved*, That in the consideration of the Constitution, and before proceeding to vote upon the question of ratification, the opportunity shall be afforded for the presentation of proposed changes in the Constitution; which changes, if they shall be approved by this Convention, shall, in case the Constitution shall be ratified by this body, be proposed to the Congress of the Confederate States as amendments demanded by the State of South Carolina.

Mr. Hutson moved to lay the resolution and the amendment on the table; and the question being put, will the Convention agree thereto? Messrs. Adams and Means were appointed tellers :

Yeas, 67; nays, 84.

So the motion was not agreed to.

Mr. Orr moved that the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative :

Yeas, 101; nays, 60.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and	
Messrs. Allison,	Messrs. Beuty,
Appleby,	Bethca,
Barawell,	Bobo,
Barron,	Brabham,
Barton,	Carn,

Messrs. Caughman,  
Chesnut,  
Conner,  
Crawford,  
Darby,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
Easley,  
Ellis,  
English,  
Evaus,  
Foster,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Harllee,  
Harrison,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kinard,

Messrs. Landrum,  
Lewis,  
Lyles,  
McCrady,  
McKee,  
Magrath,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Moore,  
Noble,  
Orr,  
Parker,  
Perrin,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Richardson, J. P.  
Robinson,  
Rowell,  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simous,  
Simpson,  
Sims,  
Smyly,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Tompkins,  
Wagner,  
Wannamaker,  
Wardlaw, D. L.

• Messrs. Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Wilson, I. D.

Messrs. Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Those who voted in the negative, are

Messrs. Adams,  
 Atkinson,  
 Bellinger,  
 Bonneau,  
 Brown, A. H.  
 Brown, C. P.  
 Burnet,  
 Cain,  
 Caldwell,  
 Calhoun,  
 Campbell,  
 Carlisle,  
 Carroll,  
 Charles,  
 Cheves,  
 Clarke,  
 Davant,  
 Davis,  
 DuPre,  
 Fair,  
 Flud,  
 Forster,  
 Frampton,  
 Furman,  
 Gist,  
 Gregg, Maxey  
 Hankel,  
 Hayne,  
 Hutson,  
 Inglis,

Messrs. Jenkins, John  
 Kershaw,  
 Kilgore,  
 Kinsler,  
 Logan,  
 McIver,  
 McLeod,  
 Manigault,  
 Mazyck,  
 Middleton, John Izard  
 Middleton, Williams  
 Miles,  
 Moorman,  
 Nowell,  
 O'Hear,  
 Palmer,  
 Pope,  
 Rhodes,  
 Richardson, F. D.  
 Rutledge,  
 Scott,  
 Seabrook, E. M.  
 Smith, J. J. P.  
 Smith, Thomas  
 Snowden,  
 Spain,  
 Spratt,  
 Timmons,  
 Townsend,  
 Williams.

So the motion was agreed to.



Mr. Cheves moved that the resolution be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 61; nays, 100.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Bellinger,

Bonneau,

Brown, A. H.

Brown, C. P.

Burnet,

Cain,

Caldwell,

Calhoun.

Campbell,

Carroll,

Caughman,

Cheves,

Clarke,

Davant,

Davis,

Duncan,

DuPre,

Evans,

Fair,

Flud,

Forster,

Frampton,

Furman,

Garlington,

Gist,

Gourdin, R. N.

Gregg, Maxey,

Hutson,

Inglis,

Jefferies,

Jenkins, John

Messrs. Jenkins, J. E.

Kershaw,

Kilgore,

Kinsler,

McIver,

McKee,

McLeod,

Manigault,

Mazyek,

Middleton, John Izard

Middleton, Williams

Miles,

Moore,

Moorman,

Nowell,

O'Hear,

Palmer,

Pope,

Rhodes,

Richardson, F. D.

Rutledge,

Scott,

Seabrook, E. M.

Smith, J. J. P.

Snowden,

Spain,

Spratt,

Townsend,

Williams.

Wilson, I. D.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and

Messrs. Adams,

Allison,

Appleby,

Atkinson,

Barnwell,

Barron,

Barton,

Beaty,

Bethea,

Bobo,

Brabham,

Carlisle,

Carn,

Charles,

Chesnut,

Conner,

Crawford,

Darby,

DeSaussure,

DeTreville,

Dunkin,

Dunovant, A. Q.

Dunovant, R. G. M.

Easley,

Ellis,

English,

Foster,

Gadberry,

Geiger,

Glover,

Goodwin,

Gourdin, T. L.

Green,

Gregg, William

Grisham,

Hammond,

Hanckel,

Messrs. Harllee,

Harrison,

Hayne,

Henderson,

Honour,

Hopkins,

Hunter,

Ingram,

Jackson,

Johuson,

Keitt,

Kinard,

Landrum,

Lewis,

Logan,

Lyles,

McCrady,

Magrath,

Manning,

Mauldin,

Maxwell,

Mayes,

Means,

Noble,

Orr,

Parker,

Perrin,

Porcher,

Pressley,

Quattlebaum,

Rainey,

Reed,

Rhett,

Richardson, J. P.

Robinson,

Rowell,

Sessions,

Messrs. Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Sims,  
Smith, Thomas  
Smyly,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,

Messrs. Wagner,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Whitner,  
Wier,  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

So the motion was not agreed to.

The resolution was agreed to.

On motion of Mr. Orr, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet on Monday next, at twelve o'clock, M.

#### SPECIAL ORDER.

On motion of Mr. Harilee, the Convention proceeded to the consideration of the communication from his Excellency the Governor, which had been made the special order of the day for this day, at one o'clock, P. M.

Mr. Harilee offered the following resolutions, which were considered, and were agreed to:

*Resolved*, That so much of the communication of his Excellency the Governor, with the accompanying documents, as relates to the correspondence of the Executive with the authorities of the Confederate States, and the late United States, be referred to the Committee on Foreign Relations.

2. That so much thereof, with the accompanying documents, as relates to the Finances and Postal Arrangements, be referred to the Committee on Commercial Relations and Postal Arrangements.

3. That so much thereof, with the accompanying documents, as relates to the transfer of the enlisted troops, arms, ordnance and munitions of war, to the Government of the Confederate States; and so

much as relates to the Coast Defences and Volunteers in the service of this State, be referred to a Special Committee on the Military, to be appointed by the President of this Convention.

4. That the Committees be authorized and instructed to cause to be printed the documents referred to them, with discretion to omit such portions as they may deem it improper to make public, or unnecessary to print.

Mr. Orr offered the following resolution, which was referred to the Committee on the Military:

*Resolved*, That the troops ordered by this body to be raised for the defence of the State, are recommended to the service of the Confederate States, in part or in whole, as in the opinion of the Government of the Confederate States, the interests of the Confederacy require.

The President announced the following Committee on the Military:

Messrs. W. W. Harllee,  
W. P. Miles,  
R. DeTreville,  
R. G. M. Dunovant,  
Maxey Gregg,  
J. B. Kershaw,  
J. M. Gadberry.

Mr. Orr introduced

An Ordinance to ratify the Constitution of the Confederate States of America; and pending the consideration thereof,

On motion of Mr. Orr, the Convention was adjourned at forty-five minutes past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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MONDAY, APRIL 1, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. J. M. Timmons.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,  
Allison,  
Appleby,  
Atkinson,  
Ayer,  
Barnwell,  
Barron,  
Barton,  
Beaty,  
Bellinger,  
Bethea,  
Bobo,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Burnet,  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Cardisle,  
Carn,  
Carroll,  
Caughman,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Darby,  
Davis,  
DeSaussure,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.

Messrs. DuPre,  
Easley,  
Ellis,  
Evans,  
Fair,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garrington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Harllee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johuson,  
Kershaw,



Messrs. Kilgore,	Messrs. Rhodes,
Kinard,	Richardson, J. P.
Kinsler,	Robinsou,
Landrum,	Rowell,
Lewis,	Rutledge,
Lyles,	Scott,
McIver,	Seabrook, E. M.
McKee,	Sessions,
McLeod,	Shingler, J. M.
Magrath,	Simons,
Manigault,	Simpson,
Manning,	Sims,
Mauldin,	Smith, J. J. P.
Maxwell,	Smith, Thomas
Mayes,	Smyly,
Means,	Spain,
Middleton, John Izard	Spratt,
Middleton, Williams	Springs,
Miles,	Thompson, R. A.
Moore,	Thomson, Thomas
Moorman,	Timmons,
Noble,	Tompkins,
Nowell,	Townsend,
O'Hear,	Wannamaker,
Orr,	Wardlaw, D. L.
Palmer,	Watts,
Parker,	Wier,
Perrin,	Williams,
Pope,	Wilson, I. D.
Pressley,	Wilson, J. H.
Quattlebaum,	Wilson, W. B.
Rainey,	Woods,
Reed,	Young.
Rhett,	

The journal of Friday's proceedings was read.

Mr. Chesnut offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the President of the Convention be authorized to

extend to Hon. Louis T. Wigfall the privilege of a seat on the floor of the Convention.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, presented the following report, which was considered immediately, and was agreed to :

The Committee on Commercial Relations and Postal Arrangements, to whom were referred the communications of the Post Master General and of the Secretary of the Treasury, report :

That they have examined the same, and respectfully recommend that the usual number of copies of both documents be printed for the use of the Convention, and that five hundred extra copies of the communication of the Secretary of the Treasury be printed for distribution.

The President laid before the Convention the following communication :

CHARLESTON, 1st April, 1861.

To the Hon. D. F. JAMISON,

*President of the Convention of South Carolina :*

DEAR SIR : The Executive Board of the Carolina Art Association has invested me with authority, which I gladly exercise, to invite the members of the Convention over which you preside, to visit the Gallery of Art, in Meeting street, whilst deliberating here for the public weal.

The Secretary will take pleasure in furnishing the members with season tickets for their convenient use.

It is hoped that an hour bestowed occasionally in viewing some specimens of Art, including Leutze's Illustration of Jasper and the old Palmetto Fort, may contribute an agreeable diversion to the minds of gentlemen habitually engrossed in the discussion of grave concerns of State.

I have the honor to be,

With great respect,

Your ob't serv't,

R. F. W. ALLSTON,

*President C. A. A.*

On motion of Mr. Chesnut, the invitation was accepted.

On motion of Mr. Orr, the Convention went into

SECRET SESSION.

The Convention resumed the consideration of

An Ordinance to ratify the Constitution of the Confederate States of America;

And, pending the consideration thereof, on motion of Mr. Orr, it was ordered, that when the Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Carn, the Convention was adjourned at forty-five minutes past three o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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TUESDAY, APRIL 2, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. T. R. English.

The Clerk called the roll, and the following delegates answered to their names:

Messrs. Adams,  
Allison,  
Appleby,  
Atkinson,  
Ayer,  
Barnwell,  
Barron,  
Barton,  
Beaty,  
Bellinger,  
Bethea,  
Bobo,  
Bonneau,  
Brabham,  
Brown, A. H.

Messrs. Brown, C. P.  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carlisle,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Conner,  
Crawford,

Messrs. Darby,  
Davant,  
Davis,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Flud,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,

Messrs. Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Logan,  
Lyles,  
McCrady,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Miles,  
Moore,  
Moorman,  
Nowell,  
O'Hear,  
Örr,  
Parker,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Robinson,

Messrs. Rowell,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,

Messrs. Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Watts,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

Mr. Withers presented the report of the Committee on Relations with the Slaveholding States of America, on an Ordinance concerning the cession of Forts, &c.; which was ordered for consideration to-morrow, and to be printed.

Mr. L. M. Ayer stated that Messrs. B. W. Lawton and W. P. Finley were detained at home by sickness in their respective families; and, on motion of Mr. Ayer, these gentlemen were excused for the reason assigned.

Mr. McCrady offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That in the opinion of this Convention, no case should be heard at the present sitting of the Court of Appeals, except with the consent of all the parties to the same.

On motion of Mr. McCrady, it was ordered that a copy of this resolution be sent to the Chief Justice.

Mr. Simons presented the report of the Committee on Engrossed Ordinances, which was considered immediately, and was agreed to.

On motion of Mr. Orr, the Convention went into

#### SECRET SESSION.

The Convention resumed the consideration of an Ordinance to ratify the Constitution of the Confederate States of America.



Mr. Rhett offered the following amendment :

But this Convention deems it due to the Confederate States, expressly to declare, that in ratifying and adopting the above Constitution, they suppose that it establishes a Confederacy of Slaveholding States; and this State does not consider herself as bound to enter or continue in confederation with any State not tolerating the institution of slavery within its limits by its fundamental law.

On motion of Mr. Adams, leave of absence was granted to Mr. Hopkins, on account of indisposition.

On motion of Mr. Inglis, business was suspended at forty-five minutes past three o'clock, P. M., until seven o'clock, P. M.

### RECESS.

The President resumed the chair.

Mr. Reed moved that the amendment be ordered to lie on the table.

Mr. Inglis rose to a question of order.

The President decided the motion to lay the amendment on the table in order.

Mr. Cheves appealed from the decision of the chair; and the question being put, will the Convention sustain the decision of the chair? it passed in the negative :

Yeas, 41 ; nays, 89.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Brown, C. P.

Messrs. Glover,

Burnet,

Gourdin, R. N.

Cain,

Gregg, Maxcy,

Campbell,

Hankel,

Carroll,

Henderson,

Caughman,

Jenkins, John

Davant,

Kershaw,

DeSaussure,

Kinsler,

DuPre,

Mazyck,

Evans,

Middleton, J. Izard

Flud,

Middleton, W.

Gist,

Miles,

Messrs. Nowell,  
O'Hear,  
Palmer,  
Perrin,  
Rhett,  
Rhodes,  
Rutledge,  
Smith, J. J. P.

Messrs. Snowden,  
Spratt,  
Stokes,  
Wagner,  
Wardlaw, F. H.  
Williams,  
Wilson, J. H.  
Withers.

Those who voted in the negative, are

Messrs. Adams,  
Allison,  
Atkinson,  
Barnwell,  
Barron,  
Barton,  
Bellinger,  
Betha,  
Bobo,  
Caldwell,  
Calhoun,  
Carlisle,  
Carn,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Conner,  
Crawford,  
Darby,  
Davis,  
DeTreville,  
Duncan,  
Dunovant, R. G. M.  
Ellis,  
English,  
Forster,  
Foster,  
Frampton,

Messrs. Garlington,  
Geiger,  
Goodwin,  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Harrison,  
Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Mauldin,  
Maxwell,

Messrs. Mayes,  
 Moore,  
 Moorman,  
 Parker,  
 Pope,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Richardson, J. P.  
 Rowell,  
 Seabrook, E. M.  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Smith, Thomas  
 Smyly,

Messrs. Spain,  
 Springs,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Wannamaker,  
 Wardlaw, D. L.  
 Watts,  
 Whitner,  
 Wier,  
 Wilson, I. D.  
 Wilson, W. B.  
 Woods,  
 Young.

So the decision of the President was not sustained.

On motion of Mr. Mazyek, it was ordered that when the Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Spain, the Convention was adjourned at thirty minutes past 8 o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

WEDNESDAY, APRIL 3, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. B. F. Mauldin.

The Clerk called the roll, and the following Delegates answered to their names:

Messrs. Adams,  
 Allison,  
 Appleby,  
 Atkinson,

Messrs. Ayer,  
 Barnwell,  
 Barron,  
 Barton,

Messrs. Beaty,  
Bellinger,  
Bethca,  
Bobò,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Calhoun,  
Campbell,  
Carlisle,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Darby,  
Davant,  
Davis,  
DeSaussure,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Glover,

Messrs. Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kcitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Logan,  
Lyles,  
McCrady,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,

Messrs. Mazyck,  
 Means,  
 Middleton, John Izard  
 Middleton, Williams  
 Miles,  
 Moore,  
 Moorman,  
 Nowell,  
 O'Hear,  
 Orr,  
 Palmer,  
 Parker,  
 Perrin,  
 Pope,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Robinson,  
 Rowell,  
 Rutledge,  
 Scott,  
 Sessions,  
 Shingler, J. M.  
 Simons,

Messrs. Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

The President laid before the Convention the following communication; which, on motion of Mr. Pope, was ordered to be entered on the journal:

FORT HILL, March 30, 1861.

Hon. D. F. JAMISON:

SIR: I transmit through you, as the presiding officer of the Convention of the People of South Carolina, my report as the Commissioner of your honorable body to the Convention of the People of Alabama.

On my arrival at Montgomery I was received with great cordiality and kindness, as the representative of South Carolina, by both the



friends and opponents of secession ; while the former were unbounded in their admiration of the gallant action of our State, the latter, although deprecating her action, were ever courteous and kind in their allusions to her. There was, unfortunately, much diversity of sentiment when the Alabama Convention first assembled. The State of Alabama is divided into what is called South and North Alabama. There is but little trade or intercourse between the sections. Before the completion of railroads leading to the Atlantic from North Alabama, the course of trade followed the current of its navigable streams to New Orleans. On the other hand, South Alabama concentrated, to a large extent, her trade at Mobile. To the north of the head waters of navigation, in South Alabama, there intervenes a broken and rugged country, to the valley of the Tennessee. Geographically, no State is more divided, and unfortunately, the division entered into the political complexion of the State. North Alabama was almost a unit against secession, and South Alabama nearly entirely so in its favor. This state of affairs embarrassed the action of her Convention when it first assembled. For, as citizens of the same State, it was important, although there was a decided majority for secession, to assuage the sectional bitterness that precipitate action might induce. Hence, several days elapsed before the passage of the Ordinance of Secession. Many opposed up to that point, withdrew opposition, and a general disposition to sustain the State was manifested.

My credentials were presented on the first day of the session of the Convention, and on the second, by invitation, I addressed the Convention, and brought before it the points that I had been instructed to present. I have the honor to enclose an official copy of the action of the Convention, giving an affirmative response to every request I had made as your Commissioner.

Very respectfully,

Your obedient servant,

AND'W P. CALHOUN.

The report and resolutions accompanying the communication were ordered to lie on the table.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made reports,

On an Ordinance to amend the ninth Article of the Constitution of the State of South Carolina ;

On an Ordinance further to amend the fourth section of the first Article of the Constitution of this State;

On an Ordinance declaratory of the true construction of an Ordinance concerning citizenship; which were severally ordered for consideration to-morrow, and to be printed.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, to whom had been referred an Ordinance to repeal sundry Ordinances done by the People of the State of South Carolina in Convention; also, an Ordinance to amend an Ordinance, entitled an Ordinance to alter the Constitution of the State of South Carolina, by striking out certain words in sundry places; also, a resolution to inquire and ascertain what changes should be made in the Constitution to adapt it to our present condition, made a report, and reported an Ordinance concerning the repeal of sundry Ordinances, and various changes in the Constitution; which was ordered for consideration to-morrow, and to be printed.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, to whom had been referred a resolution concerning alterations of the Constitution, made a report, and reported an Ordinance to alter the tenth section of the first Article of the Constitution of the State of South Carolina, and the amendment thereof, ratified the 28th January, 1861; also, to alter the tenth section of the amendments, ratified the 17th day of December, 1808, and likewise the second clause of the eleventh Article of the Constitution aforesaid; which was ordered for consideration to-morrow, and to be printed.

Mr. Miles presented the report of the Committee on Foreign Relations, on the Report of the Secretary of State, and the accompanying documents; which was ordered for consideration to-morrow.

Mr. Hanckel offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the thanks of this Convention are hereby respectfully tendered to General Beauregard, and to the officers acting under him, for the very delightful and highly interesting visit to the Fortifications in Charleston harbor, on Saturday last, afforded to this Convention by their courtesy.

On motion of Mr. Rhett, the Convention went into

#### SECRET SESSION.

The journal of yesterday's secret proceedings was read.

Mr. Mazyek offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Committee on Engrossing be instructed to inquire and report what resolutions and orders of the Convention passed in secret session, and how much and what portions of the secret journal, may now be made public without impropriety.

Mr. Inglis offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That when the Convention shall have disposed of all propositions which shall be introduced, for demanding a Convention to consider amendments to the Constitution, or otherwise suggesting such amendments, or defining the conditions upon which the Constitution would be ratified, or the sense in which it is ratified, any member who desires so to do, may change his vote on the ratification of the Constitution.

The Convention resumed the consideration of an Ordinance to ratify the Constitution of the Confederate States of America; and the question being put, will the Convention agree thereto? it passed in the affirmative:

Yeas, 138; nays, 21.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,	Messrs. Cain,
Appleby,	Calhoun,
Atkinson,	Campbell,
Ayer,	Carlisle,
Barnwell,	Carr,
Barron,	Carroll,
Barton,	Caughman,
Beaty,	Cauthen,
Bellinger,	Charles,
Bethea,	Chesnut,
Bobo,	Cheves,
Brabham,	Clarke,
Brown, A. H.	Conner,
Burnet,	Crawford,

Messrs. Darby,  
Davis,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harllee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, J. E.

Messrs. Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McKee,  
McLeod,  
Magrath,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Miles,  
Moore,  
Moorman,  
Noble,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robinson,  
Rowell,  
Scott,



Messrs. Seabrook, E. M.  
 Sessions,  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Smyly,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,

Messrs. Townsend,  
 Wagner,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Those who voted in the negative, are

Messrs. Adams,  
 Brown, C. P.  
 Caldwell,  
 Davant,  
 Flud,  
 Forster,  
 Gregg, Maxey  
 Hutson,  
 Jenkins, John  
 Kinsler,  
 McIver,

Messrs. Manigault,  
 Mazyek,  
 Middleton, John Izard  
 Middleton, Williams  
 Nowell,  
 Rutledge,  
 Snowden,  
 Spain,  
 Spratt,  
 Williams.

So the Ordinance was agreed to.

On motion of Mr. Pope, it was ordered that when the Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Pope, the Convention was adjourned at five minutes past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*



## THURSDAY, APRIL 4, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. Daniel DuPré.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,	Messrs. Duncan,
Allison,	Dunkin,
Appleby,	Dunovant, R. G. M.
Atkinson,	DuPré,
Ayer,	Easley,
Barnwell,	Ellis,
Barron,	English,
Barton,	Evans,
Beaty,	Fair,
Bellinger,	Flud,
Bethea,	Forster,
Brabham,	Foster,
Brown, A. H.	Frampton,
Brown, C. P.	Furman,
Cain,	Gadberry,
Caldwell,	Garlington,
Calhoun,	Geiger,
Campbell,	Gist,
Carlisle,	Glover,
Carr,	Goodwin,
Carroll,	Gourdin, R. N.
Caughman,	Gourdin, T. L.
Chesnut,	Green,
Cheves,	Gregg, Maxcy
Clarke,	Gregg, William
Conner,	Grisham,
Crawford,	Hammond,
Darby,	Hanckel,
Davant,	Harrison,
Davis,	Hayne,
DeSaussure,	Henderson,

Messrs. Honour,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McIver,  
McKee,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Middleton, John Izard  
Middleton, Williams.  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,

Messrs. Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Scott,  
Sessions,  
Shingler, J. M.  
Simons,  
Simpson,  
Sims,  
Smith,  
Smyly,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Watts,  
Whitner,  
Wier,  
Williams,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

The journal of yesterday's proceedings was read.

Mr. Adams offered the following resolution, which was ordered to lie on the table:

*Resolved*, That this Convention do adjourn *sine die*, to-morrow, April 5th, at four o'clock, P. M.

#### GENERAL ORDERS.

On motion of Mr. Miles, the report of the Committee on Foreign Relations, in relation to the Report of the Secretary of State, was considered, and was agreed to.

The General Orders were suspended, and

Mr. Mazyk offered the following resolution, which was referred to the Committee on the Military:

*Resolved*, That the Governor be and he is hereby authorized to commission the officers of any Volunteer company which may be formed in any of the Districts adjacent to the seacoast, for local service, provided that no such commission shall be issued without the written consent and approbation of the commanding officers of the Regiment, Battalion and Company, respectively, within the limits of which such Volunteer company shall have been formed; and provided, also, that such commissions shall not continue longer than \_\_\_\_\_ days after the close of the next regular session of the Legislature.

On motion of Mr. Spain, leave of absence was granted to Mr. Green, on account of indisposition.

#### GENERAL ORDERS.

An Ordinance to amend an Ordinance concerning citizenship was agreed to, and was ordered to be signed by the President and the Clerk.

An Ordinance to repeal sundry Ordinances, and to alter the fourth Article and sundry sections of the Constitution, was taken up.

Mr. Hutson offered the following amendment, which was not agreed to:

*Provided*, that no one not born a citizen of this State shall vote in any election, unless he shall at some time previously have taken the oath of allegiance to this State; excepting, however, such persons as are now citizens of this State.

The Ordinance was agreed to, and was ordered to be signed by the President and the Clerk.

An Ordinance to alter the tenth section of the first Article of the Constitution of the State of South Carolina, and the amendment thereof, ratified the 28th of January, 1861; also, to alter the tenth section of the amendments ratified on the 17th day of December, 1808, and likewise the second clause of the eleventh Article of the Constitution aforesaid; was considered, and was agreed to, and was ordered to be signed by the President and the Clerk.

The report of the Committee on the Constitution of the State on an Ordinance to amend the ninth Article of the Constitution of the State of South Carolina; and

The report of the same Committee on an Ordinance further to amend the fourth section of the first Article of the Constitution of this State, were considered, and were agreed to.

The General Orders were suspended, and Mr. D. L. Wardlaw offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the Constitution of the State shall be engrossed, omitting all temporary provisions, and incorporating all amendments, so as to present a symmetrical whole, and that after having been read and approved by the Convention, it shall be ratified.

On motion of Mr. D. L. Wardlaw, it was ordered, that the Constitution of the State be engrossed under the supervision of the Committee on the Constitution of the State.

On motion of Mr. Harlee, the Convention went into

#### SECRET SESSION.

The journal of yesterday's secret session was read.

Mr. Harlee presented the report of the Committee on the Military on the various matters referred to them, together with certain resolutions, which was ordered for consideration to-morrow, and to be printed.

On motion of Mr. D. L. Wardlaw, the injunction of secrecy was removed from the report and resolutions.

Mr. Simons presented the report of the Committee on Engrossed Ordinances on a resolution of inquiry as to the publication of the Resolutions and Orders, and Secret Journal of the Convention; which was ordered for consideration to-morrow.



Mr. R. N. Gourdin offered the following resolution :

*Resolved*, That the appointment of the Hon. Edward Frost, by his Excellency the Governor, an Executive Counsellor *vice* the Hon. C. G. Memminger, appointed Secretary of the Treasury of the Confederate States of America, is approved by this Convention, and is hereby confirmed.

Mr. Adams offered the following amendment, which was agreed to :

*Resolved*, That the Convention approve of the nomination of Hon. Edward Frost, as a member of the Executive Council.

On motion of Mr. D. L. Wardlaw, an Ordinance to repeal sundry Ordinances, and to alter the fourth Article, and sundry sections of the Constitution was reconsidered ; and on motion of Mr. D. L. Wardlaw, the following words of the first section were stricken out : " Also, an Ordinance ratified on the 27th day of December, 1860, entitled, an Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department."

On motion of Mr. D. L. Wardlaw, this portion of the Ordinance was recommitted to the Committee on the Constitution of the State, and the remaining clauses of the Ordinance were agreed to ; and the injunction of secrecy removed.

Mr. Bonneau asked to record the vote he would have given, if present, on an Ordinance to ratify the Constitution of the Confederate States of America ; and Mr. Bonneau being called, answered " no."

Mr. Inglis offered the following resolutions, which were considered immediately :

*Resolved*, That so soon as the Government of the Confederate States of America, created by the Constitution which has been now ratified, shall be securely established and in peaceful operation, the State of South Carolina ought to demand that, two other States concurring, the Congress shall summon a Convention of all the States, to take into consideration the following amendments to the said Constitution, to wit :

1. To amend the second section of the first Article, by striking out from the third paragraph thereof, the following words, to wit : " which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years ;" and



the words, "three-fifths of all slaves," and inserting after the words "respective numbers," the words, "including slaves."

2. To amend the ninth section of the first Article by striking out therefrom the first paragraph of said section, and the word "also", from the second paragraph of the same section, and inserting in the latter paragraph after the word "State," the words, "of the present United States of America."

3. To amend the third section of the fourth Article, by adding to the first paragraph thereof, the words, "nor shall any State in which African slavery does not by law exist, be admitted, without the consent of all the States expressed through their respective Legislatures."

Mr. Mazyck offered the following amendment:

Strike out all after the word "Resolved," and insert,

"That the State of South Carolina, in pursuance of the fifth Article of the Constitution of the Confederate States of America, does hereby demand that the Congress of the Confederate States to be assembled under the provisions of the said Constitution, shall summon a Convention of all the States of the Confederacy to take into consideration the following amendments to the said Constitution, to wit:"

Mr. A. H. Brown moved that the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative:

Yeas, 101; nays, 44.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Allison,  
Appleby,  
Barnwell,  
Barron,  
Barton,  
Beaty,  
Bethca,  
Bobo,  
Brabham,  
Brown, A. H.  
Calhoun,

Messrs. Carlisle,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Conner,  
Crawford,  
Darby,  
DeSaussure,

Messrs. DeTreville,  
Duncan,  
Dunkin,  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Foster,  
Frampton,  
Furman,  
Garlington,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Grisham,  
Hammond,  
Hanckel,  
Harllec,  
Harrison,  
Hayne,  
Hunter,  
Inglis,  
Ingram,  
Jackson,  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kinard,  
Landrum,  
Lewis,  
Lyles,  
McCrady,  
McKee,  
McLeod,  
Magrath,  
Manning,  
Mauldin,

Messrs. Maxwell,  
Mayes,  
Means,  
Moore,  
Noble,  
Orr,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Quattlebaum,  
Rainey,  
Reed,  
Richardson, J. P.  
Robinson,  
Rowell,  
Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Simons,  
Simpson,  
Sims,  
Smith, Thomas  
Smyly,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Watts,  
Whitner,  
Wier,  
Wilson, I. D.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

Those who voted in the negative, are

Messrs. Adams,  
Atkinson,  
Ayer,  
Bellinger,  
Brown, C. P.  
Cain,  
Caldwell,  
Campbell,  
Carn,  
Clarke,  
Davant,  
Davis,  
Fair,  
Flud,  
Forster,  
Gist,  
Hutson,  
Jefferies,  
Jenkins, John  
Kilgore,  
Kinsler,  
McIver,

Messrs. Manigault,  
Mazyck,  
Middleton, John Izard  
Middleton, Williams  
Miles,  
Moorman,  
Nowell,  
O'Hear,  
Palmer,  
Rhodes,  
Richardson, F. D.  
Rutledge,  
Scott,  
Smith, J. J. P.  
Snowden,  
Spain,  
Spratt,  
Timmons,  
Wagner,  
Wardlaw, F. H.  
Williams,  
Wilson, J. H.

So the motion was agreed to.

Mr. Orr moved that the resolutions offered by Mr. Inglis be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative:

Yeas, 27; nays, 118.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Allison,  
Barron,  
Charles,  
Chesnut,  
Duncan,  
Evans,  
Foster,  
Goodwin,

Messrs. Harlee,  
Harrison,  
Hayne,  
Johnson,  
Manning,  
Mauldin,  
Mayes,  
Means,

Messrs. Orr,  
Perrin,  
Pope,  
Rainey,  
Reed,  
Smyly,

Messrs. Thompson, R. A.  
Thomson, Thomas  
Wardlaw, D. L.  
Whitner,  
Wilson, I. D.

Those who voted in the negative, are

Messrs. Adams,  
Appleby,  
Atkinson,  
Ayer,  
Barnwell,  
Barton,  
Beaty,  
Bellinger,  
Bethea,  
Bobo,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carlisle,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Darby,  
Davant,  
Davis,  
DeSaussure,  
DePreville,

Messrs. Dunkin,  
DuPre,  
Easley,  
Ellis,  
English,  
Fair,  
Flud,  
Forster,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Grisham,  
Hammond,  
Hanckel,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,

Messrs. Kinsler,  
 Landrum,  
 Lewis,  
 Lyles,  
 McCrady,  
 McIver,  
 McKee,  
 McLeod,  
 Manigault,  
 Maxwell,  
 Mazyek,  
 Middleton, John Izard  
 Middleton, Williams  
 Miles,  
 Moore,  
 Moorman,  
 Noble,  
 Nowell,  
 O'Hear,  
 Palmer,  
 Parker,  
 Porcher,  
 Quattlebaum,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Robinson,  
 Rowell,

Messrs. Rutledge,  
 Scott,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Timmons,  
 Townsend,  
 Wagner,  
 Wannamaker,  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Williams,  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

So the motion was not agreed to.

The preamble and the first section were agreed to.

Mr. Withers proposed the following amendment :

Insert in lieu of the latter member of the proposition as to the ninth section, the following, to wit : To substitute in lieu of the second paragraph of the said section, the following :

“ Congress shall have power to prohibit the importation or introduction of slaves from any region, not a State or Territory of this Confederacy.”



Mr. D. L. Wardlaw offered the following :

That the first and second clauses of the ninth section of the first Article, be altered to read as follows : "Congress shall have power to prohibit the importation or introduction of slaves from any region not a State or Territory of this Confederacy."

The amendment was agreed to.

Mr. John Izard Middleton offered the following amendment, which was not agreed to :

To amend the first Article by striking out the first and second clauses of the ninth section.

The third clause of the resolutions was agreed to.

Mr. Hutson offered the following amendments, which, on motion of Mr. Withers, were ordered to lie on the table :

To strike out, wherever they occur, the words, "citizens of the Confederate States," or "citizen of the Confederate States," and insert in lieu thereof, "citizens of one of the Confederate States," and "citizen of one of the Confederate States.

To insert in the fourth clause of the eighth section of the first Article after the word "naturalization" these words : "provided that such laws shall require the foreigner to swear allegiance to that Confederate State in which he is naturalized."

Mr. R. N. Gourdin offered the following amendment :

To amend the eighth section of the first Article, by inserting after the word "but," on the seventh line, the following : "The per centage on imports shall be uniform, and shall not exceed fifteen per cent. ad valorem at the place of export in times of peace, and"

And pending the consideration thereof, on motion of Mr. Reed, the Convention was adjourned at twenty-five minutes past four o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

FRIDAY, APRIL 5, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. D. C. Appleby.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,

Allison,

Appleby,

Atkinson,

Barnwell,

Barron,

Barton,

Beaty,

Bethea,

Brabham,

Brown, A. H.

Brown, C. P.

Buchanan,

Cain,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Carn,

Carroll,

Caughman,

Caunthen,

Cheves,

Clarke,

Darby,

Davant,

Davis,

DeSaussure,

Dunkin,

DuPre,

Easley,

Messrs. Ellis,

Evans,

Fair,

Flud,

Forster,

Foster,

Frampton,

Furman,

Garlington,

Geiger,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Gregg, Maxey

Gregg, William

Grisham,

Harlee,

Harrison,

Hayne,

Henderson,

Honour,

Hunter,

Hutson,

Ingles,

Jackson,

Jefferies,

Jenkins, J. E.

Johnson,

Kershaw,

Kilgore,

Messrs. Kinard,  
 Landrum,  
 Lewis,  
 Lyles,  
 McIver,  
 McKee,  
 McLeod,  
 Manigault,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Mazyek,  
 Means,  
 Middleton, John Izard  
 Middleton, Williams  
 Moore,  
 Nowell,  
 O'Hear,  
 Orr,  
 Palmer,  
 Parker,  
 Perrin,  
 Poreher,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, J. P.  
 Rowell,

Messrs. Scott,  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Watts,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

On motion of Mr. Bellinger, leave of absence was granted to Mr. Carn, on account of professional business.

Mr. D. L. Wardlaw presented the report of the Committee on the Constitution, upon reconsideration after recommitment to them, of an Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department; which was ordered for consideration to-morrow, and to be printed.

Mr. Adams offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That the Convention adjourn this day, at six o'clock, P. M., to be convened on the call of the President, if he should deem it at any time before the first Monday of December necessary to do so ; and should no such call be made before that time, the Convention then to stand adjourned *sine die*.

Mr. Thomas Thomson presented the report of the Committee on Accounts, on the accounts of P. Brady and others, which was considered immediately, and was agreed to.

On motion of Mr. Simons, the Convention went into

### SECRET SESSION.

The journal of yesterday's secret session was read.

Mr. Rhett asked leave to record the vote he would have given, if present, on a motion to lay on the table certain resolutions, offered by Mr. Inglis, suggesting amendments to the Constitution, and Mr. Rhett, being called, answered "no."

Mr. Manigault presented the account of the Horry Dispatch for advertising, which was referred to the Committee on Accounts.

Mr. Rhett offered the following resolution, which was referred to the Engrossing Committee :

*Resolved*, That the injunction of secrecy be removed from the proceedings and debates of this Convention on the Constitution of the Confederate States of America, and the journal of this Convention of its proceedings thereon shall be published under the supervision of the President of this Convention, so soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of the States assembled at Montgomery, which formed said Constitution.

On motion of Mr. Simons, it was

*Ordered*, That the " Ordinance to ratify the Constitution of the Confederate States of America," be referred to the Committee on Engrossed Ordinances, and be ratified by the signature of the President, and attested by the Clerk of the Convention, under the Great Seal of the State.



The Convention resumed the consideration of the resolutions (by Mr. Inglis) suggesting amendments to the Constitution of the Confederate States; and the following amendment thereto, offered by Mr. R. N. Gourdin :

To amend the eighth section of the first Article by inserting after the word "but," on the seventh line, the following : "The duty imposed on all articles taxed, shall be uniform, and shall not, in time of peace, exceed fifteen per cent., ad valorem, at the place of export."

Mr. Mazyck offered the following amendment :

To amend the ninth section by altering the sixth clause thereof, so as to read as follows : "No tax or duty shall be laid on articles exported from any State ; nor shall any duty on imports exceed one-tenth of the value of the article on which it is laid."

Mr. Adams moved that the amendments be ordered to lie on the table ; and the question being put, will the Convention agree thereto ? it passed in the affirmative :

Yeas, 85 ; nays, 52.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President ; and

Messrs. Adams,	Messrs. Conner,
Allison,	Crawford,
Appleby,	Darby,
Atkinson,	DeSaussure,
Barnwell,	DeTreville,
Barron,	Duncan,
Barton,	Dunkin,
Beaty,	Dunovant, R. G. M.
Bobo,	Easley,
Brown, A. H.	Ellis,
Buchanan,	English,
Carlisle,	Evans,
Carn,	Fair,
Carroll,	Foster,
Cauthen,	Frampton,
Cheves,	Garlington,



Messrs. Geiger,  
 Gist,  
 Goodwin,  
 Gourdin, T. L.  
 Gregg, William  
 Grisham,  
 Hammond,  
 Harlee,  
 Honour,  
 Hunter,  
 Inglis,  
 Jackson,  
 Jefferies,  
 Johnson,  
 Kershaw,  
 Kilgore,  
 Kinard,  
 Landrum,  
 Lewis,  
 McIver,  
 Manning,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Means,  
 Noble,

Messrs. Nowell,  
 O'Hear,  
 Parker,  
 Perrin,  
 Rainey,  
 Reed,  
 Robinson,  
 Rowell,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simpson,  
 Sims,  
 Smith, Thomas  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Tompkins,  
 Wardlaw, D. L.  
 Watts,  
 Whitner,  
 Wier,  
 Wilson, I. D.  
 Wilson, W. B.  
 Withers,  
 Young.

Those who voted in the negative, are

Messrs. Ayer,  
 Bellinger,  
 Brabham,  
 Brown, C. P.  
 Cain,  
 Caldwell,  
 Calhoun,  
 Campbell,  
 Clarke,  
 Davant,  
 DuPre,

Messrs. Flud,  
 Furman,  
 Glover,  
 Gourdin, R. N.  
 Gregg, Maxcy,  
 Hanckel,  
 Harrison,  
 Hayne,  
 Henderson,  
 Hutson,  
 Jenkins, John

Messrs. Jenkins, J. E.

Keitt,

Kinsler,

• McCrady,

McLeod,

Manigault,

Mazyek,

Middleton, J. Izard

Middleton, W.

Miles,

Moore,

Moorman,

Orr,

Palmer,

Quattlebaum,

Messrs. Rhett,

Rhodes,

Richardson, J. P.

Scott,

Seabrook, E. M.

Sessions,

Simons,

Smith, J. J. P.

Snowden,

Spain,

Spratt,

Townsend,

Wannamaker,

Williams,

Wilson, J. H.

So the motion was agreed to.

Mr. John I. Middleton offered the following amendment:

To amend the tenth section of the first Article by striking out from the third clause thereof, after the word "State," the words "keep troops or ships of war in time of peace," so that the clause may read:

3. No State shall, without the consent of Congress, lay any duty on tonnage, except on sea-going vessels, for the improvement of its rivers and harbors navigated by the said vessels; but such duties shall not conflict with any treaties of the Confederate States with foreign nations, and any surplus revenue thus derived shall, after making such improvements, be paid into the common treasury, nor shall any State enter into any compact or agreement with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay; but when any river divides or flows through two or more States, they may enter into compacts with each other to improve the navigation thereof.

Mr. Miles moved that the amendment be ordered to lie on the table, and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 124; nays, 15.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President, and

Messrs. Adams,

Allison,

Appleby,

Atkinson,

Ayer,

Barnwell,

Barron,

Barton,

Beaty,

Bellinger,

Bobo,

Brabham,

Brown, A. H.

Buchanan,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Carn,

Carroll,

Caughman,

Cauthen,

Cheves,

Conner,

Crawford,

Darby,

Davis,

DeSaussure,

DeTreville,

Duncan,

Dunkin,

Dunovant, R. G. M.

DuPre,

Easley,

Ellis,

English,

Evans,

Fair,

Messrs. Flud,

Foster,

Frampton,

Furnan,

Garlington,

Geiger,

Gist,

Glover.

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Gregg, William

Hammond,

Harlee,

Harrison,

Hayne,

Honour,

Hunter,

Messrs. Inglis,

Jackson,

Jefferies,

Jenkins, J. E.

Johnson,

Keitt,

Kershaw,

Kilgore,

Kinard,

Landrum,

Lewis,

McCrady,

McIver,

McKee,

McLeod,

Magrath,

Manigault,

Manning,

Mauldin,

Maxwell,

Messrs. Mayes,  
 Means,  
 Miles,  
 Moore,  
 Moorman,  
 Noble,  
 Nowell,  
 O'Hear,  
 Orr,  
 Palmer,  
 Parker,  
 Perrin,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Robinson,  
 Rowell,  
 Scott,  
 Scabrook, E. M.  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.

Messrs. Simons,  
 Simpson,  
 Sims,  
 Smith, Thomas  
 Snowden,  
 Spain,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Wilson, I. D.  
 Wilson, W. B.  
 Withers,  
 Young.

Those who voted in the negative, are

Messrs. Brown, C. P.  
 Clarke,  
 Davant,  
 Forster,  
 Hutson,  
 Jenkins, John  
 Kinsler,  
 Mazyek,

Messrs. Middleton, J. Izard  
 Middleton, W.  
 Richardson, F. D.  
 Smith, J. J. P.  
 Spratt,  
 Williams,  
 Wilson, J. H.

So the motion was agreed to.

Mr. Mazyek offered the following amendments :

To amend the ninth section by adding the following clauses, viz :

1. All taxes, other than duties and excises and imposts upon the sale

or letting of commodities, or the performance of service for hire, shall be deemed direct taxes.

2. The power of Congress to regulate commerce shall not be understood to authorize the prohibition or suppression of any branch of commerce.

To amend the tenth section of the first Article, by adding thereto the following clause, viz :

“ Nothing in this Constitution shall be understood to take away or abridge the power of the several States to prohibit the importation or introduction of such persons or things as they may respectively think proper to exclude.”

Mr. Withers moved that the amendments be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative :

Yeas, 115; nays, 20.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Adams,	Messrs. Chesnut,
Allison,	Cheves,
Appleby,	Clarke,
Atkinson,	Conner,
Ayer,	Crawford,
Barnwell,	Darby,
Barron,	Davis,
Barton,	DeTreville,
Beaty,	Duncan,
Bellinger,	Dunkin,
Bethea,	DuPre,
Bobo,	Easley,
Brabham,	Ellis,
Brown, A. H.	English,
Calhoun,	Evans,
Campbell,	Fair,
Carlisle,	Foster,
Carroll,	Frampton,
Caughman,	Furman,
Cauthen,	Garlington,



Messrs. Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, William  
Hammond,  
Hanckel,  
Harllee,  
Harrison,  
Hayne,  
Honour,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Landrum,  
McCrary,  
McKee,  
McLeod,  
Magrath,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Moore,  
Moorman,  
Noble,

Messrs. Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Porcher,  
Quattlebaum,  
Raney,  
Reed,  
Rhodes,  
Robinson,  
Rowell,  
Scott,  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Sims,  
Smith, Thomas  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, F. H.  
Watts,  
Whitner,  
Wier,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Young.

Those who voted in the negative, are

Messrs. Brown, C. P.

Buchanan,

Cain,

Caldwell,

Davant,

Flud,

Gregg, Maxey

Jenkins, John

Kinsler,

Manigault,

Messrs. Mazyek,

Middleton, John Izard

Middleton, Williams

Miles,

Richardson, F. D.

Smith, J. J. P.

Snowden,

Spain,

Spratt,

Williams.

So the motion was agreed to.

Mr. Orr offered the following amendment, which was agreed to:

Strike out the second clause of the eighth section of the first Article, and insert:

“The Congress shall not contract any debt, except for war purposes, and all expenditures in excess of revenues from imports, which shall not exceed fifteen per cent. ad valorem, and other services, shall be met by direct taxation, to be provided for by the Congress authorizing the expenditure.”

Mr. J. Izard Middleton offered the following amendment:

To amend the sixth clause of the sixth Article, by adding at the close thereof the following words: “And all the powers hereinbefore delegated to the Confederate States, may, at any time, be resumed by any one of them,” so that the clause may read:

6. The powers not delegated to the Confederate States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people thereof. And all the powers hereinbefore delegated to the Confederate States, may, at any time, be resumed by any one of them.

Mr. Reed moved that the amendment be ordered to lie on the table, and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 114; nays, 12.

The yeas and nays were demanded and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Adams,	Messrs. Glover,
Allison,	Gourdin, R. N.
Barnwell,	Gregg, William
Barron,	Hammond,
Barton,	Hanckel,
Beaty,	Harlee,
Bellinger,	Harrison,
Bethca,	Hayne,
Bobo,	Hunter,
Brabham,	Hutson,
Brown, A. H.	Inglis,
Brown, C. P.	Ingram,
Cain,	Jackson,
Calhoun,	Jefferies,
Carlisle,	Jenkins, J. E.
Carroll,	Johnson,
Caughman,	Keitt,
Cauthen,	Kershaw,
Conner,	Kilgore,
Crawford,	Kinard,
Darby,	Landrum,
Davant,	Lewis,
DeSaussure,	McCrady,
DeLreville,	McIver,
Dunkin,	McKee,
DuPre,	McLeod,
Easley,	Magrath,
Ellis,	Manigault,
English,	Mauldin,
Evans,	Maxwell,
Fair,	Mayes,
Flud,	Means,
Foster,	Miles,
Frampton,	Moore,
Furman,	Noble,
Garlington,	Nowell,
Geiger,	O'Hear,
Gist,	Orr,

Messrs. Parker,  
 Perrin,  
 Pope,  
 Porcher,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Scott,  
 Sessions,  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, Thomas

Messrs. Snowden,  
 Spain,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Williams,  
 Withers,  
 Woods,  
 Young.

Those who voted in the negative, are

Messrs. Buchanan,  
 Caldwell,  
 Gregg, Maxcy  
 Henderson,  
 Jenkins, John  
 Kinsler,

Messrs. Manning,  
 Middleton, John Izard  
 Moorman,  
 Palmer,  
 Smith, J. J. P.  
 Wilson, J. H.

So the motion was agreed to.

The question being put, will the Convention agree to the resolutions? it passed in the affirmative:

Yeas, 117; nays, 15.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Adams,  
 Allison,  
 Atkinson,  
 Barnwell,

Messrs. Barron,  
 Barton,  
 Beaty,  
 Bellinger,

Messrs. Bethea,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Buchanan,  
Cain,  
Caldwell,  
Calhoun,  
Carroll,  
Caughman,  
Cauthen,  
Clarke,  
Conner,  
Darby,  
Davant,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
DuPre,  
Ellis,  
English,  
Evans,  
Fair,  
Flud,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gregg, Maxcy,  
Gregg, William  
Hammond,  
Hanckel,  
Hayne,  
Henderson,  
Honour,  
Hunter,

Messrs. Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
McCrary,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Maxwell,  
Mayes,  
Means,  
Middleton, John Izard  
Middleton, Williams  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Parker,  
Pope,  
Porcher,  
Quattlebaum,  
Rainey,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.



Messrs. Robinson,

Rowell,

Scott,

Seabrook, E. M.

Sessions,

Shingler, J. M.

Simons,

Simpson,

Sims,

Smith, J. J. P.

Smith, Thomas

Snowden,

Spain,

Springs,

Messrs. Stokes,

Thompson, R. A.

Thomson, Thomas

Timmons,

Wagner,

Wardlaw, D. L.

Wardlaw, F. H.

Watts,

Wier,

Williams,

Wilson, J. H.

Withers,

Woods,

Young.

Those who voted in the negative, are

Messrs. Bobo,

Carlisle,

Chesnut,

Easley,

Foster,

Harllee,

Harrison,

Johnson,

Messrs. Manning,

Mauldin,

Orr,

Perrin,

Reed,

Tompkins,

Wilson, I. D.

So the resolutions were agreed to.

Mr. Inglis offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the resolution just adopted by this Convention, declaring that the State of South Carolina ought hereafter to demand a Convention of all the States to consider certain amendments to the Federal Constitution therein specified, be committed to the Committee on Engrossed Ordinances to be engrossed, and that an authenticated copy thereof be transmitted; with the Ordinance ratifying the Federal Constitution, to the Congress of the Confederate States.

Mr. McCrady offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That a Committee of four be appointed to consider and

report whether any, and if any, what measures ought to be adopted for the protection of suitors and parties to causes pending in Court, where from the employment of their attorneys, solicitors or counsel in the service of the State, irregularities have occurred, which, by the course of pleading or practice, or by the rules of the various Courts, may work injury to them, or put them at disadvantage, or leave them at the mercy of the opposite parties, their counsel, attorneys or solicitors.

Whereupon the President appointed the following gentlemen, of the Committee:

Messrs. J. N. Whitner,  
T. W. Glover,  
J. P. Carroll,  
J. A. Inglis.

Mr. Buchanan asked to record the vote he would have given, if present, on an Ordinance to ratify the Constitution of the Confederate States of America, and Mr. Buchanan, being called, answered "aye."

Mr. W. P. Shingler asked to record the vote he would have given, if present, on an Ordinance to ratify the Constitution of the Confederate States of America, and Mr. Shingler being called, answered "aye."

Mr. Cheves asked to record the vote he would have given, if present, on the resolutions suggesting amendments to the Constitution of the Confederate States, and Mr. Cheves being called, answered "aye."

Messrs. Flud, Snowden, Spain, Williams, Davant and Hutson, asked leave respectively, to change their votes on an Ordinance to ratify the Constitution of the Confederate States of America; and, being called respectively, answered "aye."

On motion of Mr. Glover, leave of absence was granted to Mr. Keitt, on account of sickness in his family.

On motion of Mr. Chesnut, leave of absence was granted to Mr. Adams, on account of ill health.

On motion of Mr. Hutson, leave of absence was granted to Mr. Frampton, on account of ill health.

On motion of Mr. Orr, leave of absence was granted to Mr. R. A. Thompson, on account of important business.

On motion of Mr. Pope, the injunction of secrecy was removed from the vote on the ratification of the Constitution of the Confederate States.

On motion of Mr. Harlee, the Convention proceeded to the con-

sideration of the Report of the Committee on the Military, together with the resolutions.

The first and second resolutions were agreed to.

The third resolution was taken up.

Mr. Orr offered the following amendment to the third resolution :

*Resolved*, That it is the sense of this Convention, that the sudden call which was gallantly answered by the First Regiment of South Carolina Volunteers, now in the service, and the valuable services which that regiment has rendered, give it a just claim to an honorable discharge as soon as the pressing exigency of State affairs will, in the judgment of the Governor, permit; but that if it should be the desire of the said regiment to prolong its service, then it shall——

On motion of Mr. D. L. Wardlaw, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet to-morrow at twelve o'clock, M.

Pending the consideration of the amendment offered by Mr. Orr,

On motion of Mr. Bobo, the Convention was adjourned at four o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

#### SATURDAY, APRIL 6, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,  
Appleby,  
Atkinson,  
Ayer,

Messrs. Barron,  
Barton,  
Beaty,  
Bellinger,

Messrs. Bobo,  
Brown, A. H.  
Brown, C. P.  
Buchanan,  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carlisle,  
Carroll,  
Caughman,  
Charles,  
Cheves,  
Clarke,  
Darby,  
Davant,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Flud,  
Foster,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Gregg, William  
Grisham,

Messrs. Hammond,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kilgore,  
Kinsler,  
Landrum,  
Lewis,  
Logan,  
McCrary,  
McIver,  
McKee,  
McLeod,  
Manigault,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Middleton, John Izard  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,

Messrs. Pocher,  
 Pressley,  
 Quattlebaum,  
 Reed,  
 Rhett,  
 Rhodes,  
 Robinson,  
 Scott,  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Smyly,  
 Snowden,  
 Spain,

Messrs. Spratt,  
 Springs,  
 Stokes,  
 Thomson, Thomas  
 Timmons,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

Mr. Quattlebaum presented the report of the Committee on Printing, in relation to printing the journals of the Convention, &c. : which was ordered to lie on the table, to be taken up in connection with the report of the Engrossing Committee on the same subject.

Mr. Rhett asked leave to give the vote he would have given, if present, on certain resolutions adopted yesterday, suggesting amendments to the Constitution of the Confederate States of America; and Mr. Rhett being called, answered "aye."

On motion of Mr. Ayer, leave of absence was granted to Mr. Stokes, on account of indisposition.

Mr. Thomas Thomson offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, That the President of this Convention is authorized and directed to issue his warrants upon the Treasury, in the usual form, for the payment of all sums of money allowed by the Convention.

*Resolved*, That the Clerk, Messenger, Door-keeper and Engrossing Clerks of the Convention receive, severally, as compensation for their services, during the present sitting thereof, the same rate of payment,



in proportion to the time they serve, as is allowed the same officers of the House of Representatives of this State.

*Resolved*, That the President of the Convention is authorized and directed to draw his warrant upon the Treasury for whatever sum may be reported to him by the Clerk as due for stationery, and any expenses incidental to his office, not otherwise directed to be paid by the Convention.

Mr. Thomas Thomson offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the sundry articles of furniture, now in St. Andrew's Hall, purchased and used by the Convention, be placed at the disposal and for the use of St. Andrew's Society.

Mr. Gadberry asked leave to record the vote he would have given, if present, on certain resolutions suggesting amendments to the Constitution of the Confederate States; and Mr. Gadberry being called, answered "aye."

Mr. Logan asked to record the vote he would have given, if present, on certain resolutions suggesting amendment to the Constitution of the Confederate States of America; and Mr. Logan being called, answered "aye."

Mr. Charles asked to record the vote he would have given, if present, on certain resolutions suggesting amendments to the Constitution of the Confederate States of America; and Mr. Charles being called, answered "aye."

Mr. Campbell asked leave to record the vote he would have given, if present, on certain resolutions suggesting amendments to the Constitution of the Confederate States of America; and Mr. Campbell being called, answered "aye."

Mr. W. P. Shingler asked leave to record the vote he would have given, if present, on certain resolutions suggesting amendments to the Constitution of the Confederate States of America; and Mr. Shingler being called, answered "aye."

Mr. Withers offered the following resolution, which was ordered to lie on the table :

*Resolved*, That in case a vacancy shall arise, from any cause, in the delegation from this State to the Congress of the Confederate States of America, the Governor of this State be, and he is hereby, authorized to supply such vacancy by appointment, should he think fit.

On motion of Mr. J. I. Middleton, the Convention went into

SECRET SESSION.

The Convention resumed the consideration of the report of the Committee on the Military and the accompanying resolutions, together with the amendment thereto, offered by Mr. Orr.

Mr. Orr withdrew his amendment.

Mr. Perrin offered the following amendment, which was agreed to :

*Resolved*, That it is the sense of this Convention that the sudden call which was gallantly answered by the first Regiment of South Carolina Volunteers, now in the service, and the valuable services which that regiment has rendered, give it a just claim to an honorable discharge as soon as the pressing exigency of State affairs will, in the judgment of the Governor, permit ; but that if it should be the desire of the said Regiment to prolong its service, then it shall —

The resolution, as amended, was agreed to.

The remaining resolutions of the series were agreed to ; and were ordered to be engrossed, and to be signed by the President and the Clerk.

The Convention proceeded to the consideration of an Ordinance to ratify the Provisional Constitution and Government of the Confederate States of America ; which was unanimously agreed to, and was ordered to be engrossed, and to be signed by the President and the Clerk.

On motion of Mr. Spain, leave of absence was granted to Mr. English, on account of urgent professional business of a public nature.

On motion of Mr. Spain, leave of absence was granted to Mr. Mayes, on account of indisposition.

On motion of Mr. Orr, leave of absence was granted to Mr. Lewis, on account of sickness in his family.

Mr. Manigault offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Colonels of the Regiments which have volunteered their services to the State, shall not be required to give bonds for the safe keeping of arms issued to their respective Regiments, and to take similar bonds from the Captains under their command.

Mr. Simons, from the Committee on Engrossed Ordinances, pre-

sented the following report, which was considered immediately, and was agreed to :

The Committee on Engrossed Ordinances, to whom it was referred :

*First*, to inquire and report " what resolutions and orders of the Convention, passed in secret session, and how much and what portion of the secret journal, may now be made public without impropriety ;" and

*Secondly*, to consider and report upon the following resolution, to wit : "*Resolved*, That the injunction of secrecy be removed from the proceedings and debates of this Convention on the Constitution of the Confederate States of America ; and that the journals of this Convention and of its proceedings thereon, shall be published under the supervision of the President of this Convention, so soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of the Congress assembled at Montgomery, which formed said Constitution," having considered these matters, beg leave to

#### REPORT :

That they were attended by the Clerk of the Convention, and with him carefully and minutely perused the journals of the secret sessions of this body, from the 22d day of December, A. D. 1860, when the Convention first sat with closed doors, until the present time. They find that the injunction of secrecy has already been removed from the Ordinances and the more important resolutions which have been adopted. Your Committee cannot say that the removal of the injunction of secrecy from the remainder of the transactions of the Convention, and their consequent publication, is either improper or incompatible with the public interests.

There are a class of resolutions, the publication of which, it was objected in the Committee, might give rise to a misconception of the real views, and a misconstruction of the true action of this body. To these the attention of the Convention is invited.

On the 27th day of December of the last year, the morning after Major Anderson had, under cover of the night, dismantled and abandoned Fort Moultrie, and taken military and hostile occupation of Fort Sumter, a delegate offered the following resolution :

" *Resolved*, That it is the sense of this Convention, that the occupation of Fort Sumter ought at once to be regarded as an authorized occupation, and vigorous military defences provided immediately ;" which was ordered to lie on the table. Many other resolutions to the same

effect were, from time to time, presented, and were also either ordered to lie on the table or rejected. To remove the injunction of secrecy, and publish to the world these and kindred resolutions, it was suggested might lead to the idea that the Convention had, by their action on them, declined to entertain, or assert, and perhaps had denied, the principles therein declared, and had thus placed themselves somewhat in opposition to the views expressed in their behalf by our Commissioners to the Government at Washington.

In this view your Committee do not concur. It is well known to the members of this body, that in truth and in fact, the Convention intended thereby to express no opinion as to the authority and character of Major Anderson's occupation, the same not having been then, as yet, affirmed, denied or adopted by the then Administration, and our Commissioners having, at that time, this, with other complicated and delicate questions, for explanation and, if possible, for adjustment. The reasons thus indicated, which induced the action of the Convention, do not, it is true, appear on the face of the journal or accompany the record; but this may be said of the proceedings in all legislative bodies, and which, therefore, at last, must, in a great measure, depend upon contemporaneous history for their explanation and vindication.

In reference to the publication of the debates on the subject of the adoption of the Constitution of the Confederate States of America, your Committee do not perceive how the same could be done under the authority of this body, as no official record of them was kept under its directions. They would, therefore, recommend the adoption of the following resolutions:

1. *Resolved*, That the injunction of secrecy be removed from all the transactions of this Convention in secret session, except in relation to the debates on the Constitution of the Confederate States of America, and the matter this day directed by the Convention to be kept secret.

2. *Resolved*, That as soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of Delegates, lately assembled at Montgomery, the injunction of secrecy shall likewise be removed from the debates of this Convention on the Constitution submitted for the Confederate States of America.

3. *Resolved*, That five hundred copies of the journal, public and secret, and of the reports, resolutions and transactions of this Convention be printed, and separately five hundred copies in the following order:



1. All the Ordinances passed by the Convention, in the order of time (except the Ordinance of Ratification); together with
2. The Bills to amend the Constitution of this State, ratified during the late session of the General Assembly.
3. The Resolutions for engrossing the Constitution.
4. The Constitution of the State as engrossed.
5. The Constitution of the Provisional Government of the Confederate States of America.
6. The Constitution of the Confederate States of America.
7. The Ordinance of Ratification.
8. The Resolutions suggesting amendments.

And that the same be distributed as follows :

For the Executive, 10 copies; for the Legislative Library of the Congress at Montgomery, 5 copies; for the Legislative Library at Columbia, 5 copies; for the Libraries of the Court of Appeals at Columbia and Charleston, each 5 copies; for the members of the Convention, and members of the General Assembly of the State, each 1 copy; for the Governors of the several Confederate States, each 1 copy; for the Chief Justice and Associate Justices of the Court of Appeals, and for the Chancellors and Judges of the State, each 1 copy; for the College and various public Libraries in the State, each 1 copy; for the Attorney General, Solicitors, Secretary of State, Surveyor General and Treasurers of the Upper and Lower Division, each 1 copy for the use of their respective offices; and that the residue be distributed under the direction of the President of this Convention.

All of which is respectfully submitted,

THOMAS Y. SIMONS, *Chairman*.

On motion of Mr. Fair, leave of absence was granted to Mr. Watts, on account of important business.

An Ordinance, ceding the possession of the Forts, Arsenals, &c., to the Confederate States of America (reported by the Committee on Relations with the slaveholding States of North America), was taken up; and, on motion of Mr. Pope, was made the special order of the day for Monday next, at eleven o'clock, A. M.

On motion of Mr. Bobo, leave of absence was granted to Mr. Landrum, on account of important professional business.

Mr. Hayne offered the following resolution, which was ordered for consideration on Monday next :



*Resolved*, That the President, or in case of his death or absence from the State, any one of a Committee of three, now to be appointed by him, be authorized to call together this Convention at such time and place as may be deemed expedient, whenever the exigency of public affairs or the welfare of the State may require: *Provided*, that if this Convention is not called together before the first day of January, 1862, said Convention shall, on that day, stand adjourned *sine die*.

Mr. Whitner presented the following report, which was ordered for consideration on Monday next:

The Special Committee appointed to "consider and report whether any, and if any, what measures ought to be adopted for the protection of suitors and parties to causes pending in Court," under circumstances enumerated in the resolution committed, have had the same under consideration, and respectfully report, that although great injury may result in a given case, such as seems to be contemplated by the resolution, from a stringent application of the rules of the various Courts in this State, yet the Committee hesitate to enlarge or restrain the discretion of those entrusted with the administration of justice, by an attempt to direct any specific mode in which that discretion shall be exercised, even under exigencies now existing.

On motion of Mr. Miles, leave of absence was granted to Mr. Snowden, on account of illness on his plantation.

On motion of Mr. Fair, the Convention was adjourned at forty-five minutes past four o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

## MONDAY, APRIL 8, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. Daniel DuPre.

The Clerk called the roll, and the following Delegates answered to their names :

## Messrs. Allison,

Barron,

Beaty,

Betha,

Brown, A. H.

Brown, C. P.

Buchanan,

Burnet,

Cain,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Caughman,

Conner,

Davant,

Dunkin,

DuPre,

Easley,

Evans,

Fair,

Flud,

Foster,

Furman,

Garlington,

Geiger,

Glover,

Gourdin, R. N.

Gourdin, T. L.

Gregg, William

Hammond,

## Messrs. Harllee,

Harrison,

Henderson,

Hunter,

Hutson,

Inglis,

Jackson,

Jefferies,

Jenkins, J. E.

Johnson,

Kershaw,

Kilgore,

Kinard,

Logan,

McCrary,

McIver,

McKee,

McLeod,

Mauldin,

Maxwell,

Mazyck,

Means,

Middleton, John Izard

Moore,

Moorman,

Nowell,

O'Hear,

Orr,

Palmer,

Parker,

Perrin,

Messrs. Porcher,

Quattlebaum,

Reed,

Rhodes,

Robinson,

Rowell,

Scott,

Sessions,

Shingler, J. M.

Shingler, W. P.

Simons,

Simpson,

Sims,

Smith, J. J. P.

Messrs. Smith, Thomas

Spain,

Spratt,

Springs,

Timmons,

Townsend,

Wier,

Williams,

Wilson, I. D.

Wilson, J. H.

Withers,

Woods,

Young.

The journal of Saturday's proceedings was read.

The President laid before the Convention the following communication, which, on motion of Mr. Quattlebaum, was ordered to be entered on the journal :

*To the Honorable the President and Convention*

*of the State of South Carolina, in Charleston assembled :*

Having been honored by your body with an appointment of Commissioner to the State of Texas, with instructions to lay before her Convention an Ordinance of the State of South Carolina, by which she dissolved all connection with the Federal Government of the United States, &c., I beg leave to report that, as early as practicable after I received the intelligence, I repaired to Austin, having but meagre information of the political condition of the State, or whether I should find a Convention, authorized to control her destinies, and able to overcome the opposition of her Executive, who was known to entertain inveterate hostility to secession, and everything looking to resistance to Black Republican dominion in the country, and who had interposed every obstacle in his power to check the spirit, and arrest the progress of the people, in their determination to vindicate the safety and honor of the State.

But I was greatly gratified, when I reached the seat of government, to find in session, both the Legislature of the State, and a large and intelligent Convention of Delegates, acting in concert, with a spirit, wisdom and patriotism, which I hazard nothing in saying, would do honor to any State on the continent.

Their Convention was the result of a spontaneous uprising of the people, who had the intelligence to understand their rights, and the spirit to maintain them against every obstacle. They had in vain exhausted all the means in their power, to induce the Executive to convene the Legislature, to call a Convention by the usual forms of law. He not only refused, but after they had elected delegates to their Convention, he issued his proclamation calling the Legislature together, as is generally believed, to defeat the objects of the People's Convention, which, in his message to the Legislature, he denounced, and utterly repudiated its authority to act.

The Legislature assembled before the Convention, and with great unanimity, by one of its first Acts, legalized, as far as they could do, the election of Delegates and the authority of the Convention to exercise the sovereignty and will of the People.

As the Commissioner from the State of South Carolina, I was received by that high-spirited and patriotic Convention, in a manner most complimentary to our State, and gratifying to me, and was allowed an early opportunity to discharge the duties of my mission.

In obedience to the instructions of your honorable body, I presented the Ordinance of Secession of our State, and other accompanying documents, and also invited them, in the event of their secession, to unite with us, and other seceding Southern States, in the formation of a Confederacy, and with that view, to send delegates to a Convention to be held at Montgomery.

The response of the noble State of Texas, through her patriotic and intelligent representatives, and indeed, through the ballot box, by the people themselves, with very great unanimity, is too well known to your honorable body, and to the country, to require detailed information from me. It is most gratifying to know, that with her vast and rich domain; with resources, when developed, sufficient for empires with millions of inhabitants; though opposed at every step by the legally constituted head of the then Government of the State, in the person of her eccentric Executive, and exposed upon her entire western and northern border by three distinct classes of most unprincipled enemies, to wit: Indians, Mexicans and Abolitionists, she has had the wisdom and the spirit to cast from her, forever, the shackles of an arrogant, desolating tyranny, and unite her destinies with those of the Confederate States of the South, where I trust she shall be estimated according to her worth; protected as she evidently deserves to be; and



never again be united, in any union whatever, with a non-slaveholding or fanatical people. .

All of which is respectfully submitted.

I have the honor to be,

Your obedient servant,

JOHN McQUEEN.

*April 5th, 1861.*

Mr. Simons presented the report of the Committee on Engrossed Ordinances, together with certain resolutions; which was considered immediately, and was agreed to.

Mr. Simons offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the President of this Convention be authorized to draw his draft on the Treasury, countersigned by the Cashier, for the payment of the gas consumed during the session of this Convention, and also for the fees of the keeper of the St. Andrew's Hall, usual and customary.

Mr. Simons offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That there be allowed C. D. Melton Esq., the Solicitor in attendance on this Convention, the same per diem and mileage as is allowed to the members of the Convention; and that the President of this Convention be authorized to draw his draft on the Treasury, countersigned by the Cashier, for the same.

Mr. Thomas Thomson, from the Committee on Accounts, made the following report, which was considered immediately, and was agreed to:

The Committee on Accounts, to whom was referred the account of Gilbert & Darr, for advertising, ask leave to report, that they have no objection to the claim presented. As this, however, is the only claim for advertising of which payment is asked, your Committee are of opinion that such claims, which may be numerous, may be, with propriety, referred to the Legislature; and recommend the adoption of the following resolution:

*Resolved*, That accounts for advertising the assembling and reassem-



bling of the Convention, be referred to the consideration of the Legislature; and that payment, if allowed, be made according to the rules and practice of that body.

Mr. Thomas Thomson offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That B. S. Barue be paid, for engrossing on parchment the Constitution of this State, and materials used, the sum of \$168.

On motion of Mr. Dunkin, the vote by which the report of the Committee on Engrossed Ordinances, and the accompanying resolutions, were agreed to, was reconsidered, and on motion of Mr. McIver, the report and resolutions were recommitted to the Committee.

An Ordinance to repeal in part and alter in part the Ordinance, entitled "An Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department," was agreed to, and was ordered to be signed by the President and the Clerk.

On motion of Mr. Townsend, the Convention went into secret session, and after some time passed therein, the doors were opened.

On motion of Mr. A. H. Brown, the Convention proceeded to the consideration of the following resolution :

*Resolved*, That the People of South Carolina, in Convention assembled, cordially approve of the election of Jefferson Davis to the Presidency, and Alexander H. Stephens to the Vice Presidency of the Provisional Government of the Confederate States of America, and have entire confidence in their experience, patriotism and ability to guide the destinies of the new Republic.

The resolution was agreed to.

Mr. Pope offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That a copy of the resolution just passed, expressing our confidence in the President and Vice President of the Confederate States, be forwarded to each by the President of this body.

The Constitution of the State of South Carolina having been engrossed, was read by the Clerk, was ratified, and was signed by the President and the Clerk.

On motion of Mr. Townsend, the Convention went into

### SECRET SESSION.

Mr. Townsend offered the following resolution :

*Resolved*, As the opinion of this Convention, that our military posts at Morris' and Sullivan's Islands ought to be immediately strengthened by large reinforcements, and for this purpose that the Governor be requested to call into the service of the State, with as little delay as possible, three thousand volunteers, or more, if deemed necessary, for the immediate protection of this harbor.

Mr. Hayne offered the following amendment :

That it be referred to the Governor, upon consultation with General Beauregard, to determine whether there should not be an immediate call for three thousand volunteers, or more, if deemed necessary, for the immediate protection of this harbor.

Mr. Simons offered the following amendment :

*Resolved*, That his Excellency the Governor be requested to place the military operations in and around the harbor of Charleston, under the charge and control of Brigadier General Beauregard, or whoever may be in command under the authority of the Confederate States; and be authorized to place at his disposal such portions of the Division of Volunteers as Gen. Beauregard, or the Confederate commander, may, from time to time, deem necessary.

Mr. Chesnut offered the following amendment :

*Resolved*, That this Convention, having full confidence in the ability and fidelity of the constituted authorities of this State, and of the General in command of the harbor of Charleston, declines to direct or advise them in the discharge of their duty.

Mr. Mazyek moved that the resolutions be committed to the Committee on the Military.

On motion of Mr. Kershaw, the motion to commit was ordered to lie on the table.

On motion of Mr. Reed, the resolutions and the amendments were ordered to lie on the table, and

Mr. Reed offered the following :

*Resolved*, That this Convention approves of the action of the Governor, in placing the forces for the military defence of Charleston under the command of Gen. Beauregard, and that he be authorized to call into the field immediately such number of the Volunteer Regiments, raised under the Act of Assembly, as Gen. Beauregard may require for the operations under his control ; the whole force to be placed under the command of Gen. Beauregard, or such other general officer as may be ordered to the same command by the authorities of the Confederate States of America.

On motion of Mr. Withers, the consideration of the resolution was passed over for the present.

#### SPECIAL ORDER.

On motion of Mr. Withers, the Convention proceeded to the consideration of an Ordinance ceding the possession of the forts, arsenals, &c., to the Confederate States of America ; which had been made the special order of the day for this day, at eleven o'clock, A. M.

Mr. J. J. P. Smith offered the following amendment :

#### AN ORDINANCE

To transfer to the Government of the Confederate States of America the use and occupaney of the forts, arsenals, navy yards, custom houses and other public sites within the limits of this State.

*We, the People of South Carolina, in Convention assembled, do ordain and declare, and it is hereby ordained and declared, by the authority of the same, That the Government of the Confederate States of America is hereby authorized to occupy, use and hold possession of all forts, navy yards, arsenals, custom houses and other public sites within the limits of this State, and their appurtenances, lately in the possession of the United States of America, together with Fort Sumter, and to repair, rebuild and control the same at its discretion, until this Ordinance be repealed by a Convention of the People of this State.*

The Ordinance was agreed to, was ordered to be engrossed, and to be signed by the President and the Clerk.

On motion of Mr. Withers, the injunction of secrecy was removed from the Ordinance, and it was

*Resolved*, That a certified copy of the Ordinance to transfer to the Government of the Confederate States of America the use and occupancy of the forts, arsenals, navy yards, custom houses and other public sites within the limits of this State, be sent to the President of the Confederate States of America.

Mr. J. J. P. Smith moved to reconsider the vote by which the report of the Committee on Printing, recommending the printing of the reports, resolutions and secret journal of the Convention, &c., was agreed to.

On motion of Mr. Orr, the motion to reconsider was ordered to lie on the table.

Mr. Orr offered the following resolution :

*Resolved*, That this Convention highly appreciates the patriotic conduct of Benjamin Mordecai, in generously making a donation of the sum of \$10,000 to the constituted authorities of South Carolina, to aid the State in maintaining its independence.

Mr. Furman offered the following amendment, which was accepted by the mover of the resolution, and was agreed to :

*Resolved*, That this Convention highly appreciates the generosity and public spirit of those citizens and friends of the State who have contributed money and labor for the benefit of the State ; and take pleasure in noticing particularly the liberality and patriotism of Benjamin Mordecai, Esquire, in making the first and very generous donation.

Mr. Harlee, from the Committee on the Military, made a report, and reported the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, that the Governor be, and he is hereby, authorized to commission the officers of any Volunteer Company which may be formed in any of the Districts adjacent to the sea-coast, for local service : *Provided*, that no such commission shall be issued without the written consent and approbation of the commanding officers of the Regiment,



Battalion and Company respectively, within the limits of which such Volunteer Company shall have been formed: *And provided, also*, that such commissions shall not continue longer than ten days after the close of the next regular session of the Legislature: *Provided, also*, that the said companies shall consist of not less than thirty, rank and file, besides commissioned and non-commissioned officers.

On motion of Mr. Harlee, the resolution was ordered to be engrossed, and the injunction of secrecy removed.

Mr. Inglis offered the following resolutions, which were *unanimously* agreed to:

*Resolved*, That the alacrity with which the Regiment of Rifles, and the several Volunteer Companies of the city, the First Regiment of South Carolina Volunteers, and the Regiment and Battalion of enlisted men, and their various officers, and the several individuals in the capacity of Aids to the Governor, Engineers and otherwise, responded to the call of the State in her hour of peril and doubtful fortunes; the patient cheerfulness with which they have submitted to the extraordinary privations incident to the suddenness of the emergency; their diligence in labors new and unusual; the degree of skill, discipline and efficiency attained in the short interval which has succeeded, and the amount of useful service already rendered, entitle them all, both officers and privates, to the hearty commendations and gratitude of the people, and justify the State in regarding them with honest pride.

*Resolved*, That this Convention, on behalf of the people of this State, repose entire confidence in the eminent professional skill, courage and sound judgment of Brigadier General P. G. T. Beauregard, and in the intelligent and efficient coöperation of the various members of his Staff, and other assistants, military and naval, and respectfully tender to them, and to the various forces in the service, and individuals designated, the thanks of the State for their successful efforts thus far, to protect the honor and interests of the State.

*Resolved*, That if Fort Sumter shall fall into the hands of our present Government, and the harbor of Charleston should be relieved from all hostile occupation or obstruction, although without any actual conflict of arms, such result will be not the less achieved by our forces aforesaid, and their wise and effective operations.

*Resolved*, That the foregoing resolutions be communicated to General Beauregard, with a request that he extend them to the various



Regiments, Battalions and separate Companies, and to his Staff and assistants, in such form and manner as he shall judge expedient.

On motion of Mr. Inglis, the injunction of secrecy was removed from the resolutions.

Mr. Porcher presented the accounts of S. Brady, Webb & Sage and Lambert & Howell; which were respectively referred to the Committee on Accounts.

The Convention resumed the consideration of the resolution (offered by Mr. Reed) in relation to the forces for the defence of Charleston harbor.

The resolution was agreed to; and, on motion of Mr. Reed, a copy thereof was ordered to be sent to his Excellency the Governor, and to General Beauregard; and the injunction of secrecy removed.

On motion of Mr. Reed, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Fair, leave of absence was granted to Mr. Williams, on account of important business.

On motion of Mr. Orr, leave of absence was granted to Mr. Whitner, on account of official duties.

On motion of Mr. Hayne, the Convention proceeded to the consideration of the following resolution:

*Resolved*, That the President, or in case of his death or absence from the State, or in case of his inability to act, any one of a Committee of three, now to be appointed by him, be authorized to call together this Convention at such time and place as may be deemed expedient, whenever the exigency of public affairs or the welfare of the State may require: *Provided*, that if this Convention is not called together before the first day of January, 1862, it shall on that day be dissolved.

Mr. Evans offered the following amendment, which, on motion of Mr. Fair, was ordered to lie on the table:

*Resolved*, That this Convention, to-morrow on its adjournment, be dissolved.

Mr. Simons offered the following amendment, which was agreed to :

*Resolved*, That when this Convention adjourns, it shall be adjourned to meet at such time and place as the President shall appoint, who is authorized, if in his opinion, the public exigencies shall require, by notice under his hand duly published, to assemble the Convention at any time before the first day of January ensuing; and that he appoint a Committee of five, a majority of whom, or the survivors or survivor of such majority, in case of the death or disqualification of the President, shall have like authority to assemble the Convention, and appoint a time and place for its meeting; and, in case the Convention should not be so assembled before the first day of January ensuing, then this Convention shall be dissolved.

Mr. Thomas Thomson offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the same compensation be allowed the members of this Convention during its present sitting, as members of the Legislature receive; and that the President issue certificates or warrants therefor, in the usual form.

On motion of Mr. Pope, the Convention was adjourned at thirty minutes past four o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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TUESDAY, APRIL 9, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. D. P. Robinson.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,  
Appleby,  
Atkinson,  
Ayer,

Messrs. Barron,  
Beaty,  
Bellinger,  
Bethca,

## Messrs. Bobo,

Brown, A. H.

Buchanan,

Cain,

Caldwell,

Calhoun,

Carlisle,

Carroll,

Caughman,

Charles,

Chesnut,

Cheves,

Darby,

Davant,

DeSaussure,

DeTreville,

Duncan,

Dunkin,

DuPre,

Easley,

Ellis,

Evans,

Fair,

Flud,

Foster,

Furman,

Garlington,

Geiger,

Gist,

Glover,

Gourdin, R. N.

Gourdin, T. L.

Hammond,

Harlee,

Harrison,

Hayne,

Henderson,

Honour,

Hunter,

Hutson,

## Messrs. Inglis,

Ingram,

Jackson,

Jefferies,

Jenkins, John

Jenkins, J. E.

Johnson,

Kershaw,

Kilgore,

Kinard,

Kinsler,

McCrady,

McIver,

McKee,

McLeod,

Magrath,

Mauldin,

Maxwell,

Mazyck,

Means,

Middleton, John Izard

Miles,

Moore,

Moorman,

Noble,

Nowell,

O'Hear,

Orr,

Palmer,

Parker,

Pope,

Quattlebaum,

Reed,

Rhodes,

Richardson, J. P.

Robinson,

Rowell,

Scott,

Sessions,

Shingler, J. M.

Messrs. Shingler, W. P.

Simons,

Simpson,

Sims,

Smith, J. J. P.

Smith, Thomas

Spratt,

Springs,

Thomson, Thomas

Messrs. Timmons,

Townsend,

Wardlaw, D. L.

Wier,

Williams,

Wilson, I. D.

Wilson, J. H.

Woods,

Young.

The journal of yesterday's proceedings was read.

The President announced the following Committee, appointed under a resolution, to call the Convention together in the event of the death or disqualification of the President :

Messrs. B. F. Dunkin,

D. L. Wardlaw,

R. W. Barnwell,

R. B. Rhett,

W. W. Harllee.

Mr. Ayer offered the following resolution, which was not seconded, and was therefore ordered to lie on the table :

*Resolved*, That it be referred to the Committee on the Constitution to inquire, and if deemed expedient, to report an Ordinance to alter and amend the Constitution of this State, in such manner that the number of representatives shall never exceed twenty that any incorporated Town or City, whatever its population or wealth may be, may elect to the more numerous branch of the Legislature.

Mr. Ayer offered the following resolution, which was not seconded, and was therefore ordered to lie on the table :

*Resolved*, That more effectually to protect and render secure the political rights of minorities under our republican system of government, the Constitution of this State should be so altered and amended, as to confer on every voter in elections for the Legislature the privilege of casting as many ballots as his election district may be entitled to members, and the privilege of giving, if he so chooses, the whole number of his votes for any single candidate, or dividing them in such pro-

portions as he may see fit to do among any less number than the whole number to be elected.

Mr. Thomas Thomson presented the report of the Committee on Accounts on the accounts of S. Brady, Webb & Sage and Lambert & Howell; which was considered immediately, and was agreed to.

Mr. Simons presented the report of the Committee on Engrossed Ordinances, which was considered immediately, and was agreed to.

Mr. Bobo stated that he had received intelligence that Mr. William Curtis had been prevented from attending this session of the Convention on account of serious personal injuries received; and, on motion of Mr. Bobo, Mr. Curtis was excused, for the reason assigned.

On motion of Mr. John Izard Middleton, the Convention resolved itself into a Committee of the Whole, Mr. D. L. Wardlaw in the chair.

Mr. John Izard Middleton offered the following resolution, which was agreed to:

*Resolved, unanimously,* That the thanks of this Convention are due and are hereby tendered to Hon. D. F. Jamison, for the courtesy, dignity, impartiality and ability with which he has discharged his duties as its presiding officer.

On motion of Mr. Quattlebaum, the Committee rose, and the Chairman reported to the Convention the resolution adopted by the Committee.

The President said:

*Gentlemen of the Convention—*

When first called upon, by your kindness, to preside over the gravest, the ablest, and the most courteous body of gentlemen with whom I have ever been associated in a political life, extending, now, to more than twenty-five years, I was greatly overcome by your confidence, for a compliment as unexpected as, I felt, it was unmerited, and now I am willing to construe this renewed expression of your kindness into a tribute of good intentions, rather than to good deeds.

By your acts, during the twenty days of your first session, you have added more than one page to history which will survive; for men will love to look on the opening incidents of a revolution, conducted with a dignity, calmness, propriety, and an inflexible pursuit of right, which has few examples in past times.



Within the brief interval of less than three months between your first session and this, many striking incidents have been crowded, which might, also, become history; but the doubts, fears, struggles, anxieties, and hopes deferred, and then the gradual increase of confidence from increased strength and resources, are only fully known to the few, who acted the chief part in the trying scenes of this winter; and they, if they could, probably will not write its history.

This revolution, so far, has been bloodless. What a glorious consummation it would have been! What a triumph of civilization and Christianity, if the great principles involved in this movement could have been successfully achieved, without shedding a single drop of human blood! But now it seems to be otherwise. While I am yet speaking, a hostile fleet is said to be approaching our shores, and before the coming night closes over us, the sands of Morris Island may be stained with the best blood of our people. May God show the right!

I congratulate you, gentlemen, at the close of your labors, on the adoption of a Constitution which, I trust, will be found little less than perfect. There are, I admit, clauses and omissions which render it much less acceptable to me, but I am far from attaching as great importance to any written Constitutions as many appear to do. Written Constitutions are but as landmarks to point out the route to be followed; and all experience of the past most clearly demonstrates that a Government will be just suited to the capacities, genius and character of a people, and it will be either free or despotic, as the people themselves will be found to deserve the one form or the other. Why, it may be asked, is it, that the civilization of the Eastern nations of the Semitic race has been so unproductive of results beneficial to contemporaneous or subsequent times?—that we hold of them no literature, no law, no principle of government or social amelioration? It is because their government was a stern despotism, which interposed an immeasurable distance between the throne and the people; and, it may be added, because their religion was a gloomy and degrading superstition, which bowed down to the creature instead of to the Creator. Where is the British Constitution written? Not on paper, but in the traditions and memories of the dominant portion of a race who, through a thousand years of trial and suffering, vindicated their rights to a liberal Government. Where is the Constitution of the French to be found? Not in Jacobin Clubs, nor in the romanesque reveries of Vergniaud, Madame Roland and Brissot de Warville; not in the “Three Days of July,” nor in the fanciful theories of Lamar-

tine, and in his impracticable doctrines of "Liberty, Equality, and Fraternity," but in the will of an absolute monarch, who preserves order and restrains insurrection by half a million of armed men. Where did Black Republicanism get its teachings? Not from the Constitution of the United States, but from the doctrines of a "Higher Law" and an Irrepressible Conflict.

If, therefore, we are wise, if we are virtuous, if we are true to ourselves, the Constitution, which we have adopted, will last for generations to come. If we are not, no written Constitution, however guarded, will avail us long.

Permit me, now, gentlemen, at this parting moment—and we part at a moment of un conjecturable events—to offer, to each of you, my best wishes for your present and future welfare; and to repeat my profound thanks for all your confidence and kindness.

On motion of Mr. Pope, the Convention went into

#### SECRET SESSION.

The Convention proceeded to the consideration of the following resolution :

*Resolved*, That in case a vacancy shall arise, from any cause, in the Delegation from this State to the Provisional Congress of the Confederate States of America, the Governor of this State be, and he is hereby, authorized to supply such vacancy by appointment, should he think fit.

Mr. Miles offered the following amendment, which was agreed to :

*Resolved*, That in case a vacancy shall arise from any cause, in the delegation from this State to the Provisional Congress of the Confederate States of America, and in case the Convention should not then be in session, the President of this Convention, or in case of his death or disqualification, the Committee of five who have been empowered in a certain contingency to reassemble the Convention, be authorized to fill such vacancy by appointment.

Mr. Bobo offered the following amendment, which was agreed to :

*Provided*, The appointment be made of some person residing in a Congressional District not already represented in the Congress.

The resolution, as amended, was agreed to.

Mr. Simons, from the Committee on Engrossed Ordinances, made the following report, which was considered immediately, and was agreed to :

The Committee on Engrossed Ordinances beg leave to report, that the following Ordinances and Resolutions referred to them, have been duly engrossed and ratified by the signature of the President, and the attestation of the Clerk of the Convention, to wit :

1. An Ordinance to ratify the Constitution of the Confederate States of America.

2. The Resolutions, suggesting amendments thereto.

3. An Ordinance to amend "An Ordinance concerning Citizenship."

4. An Ordinance to repeal sundry Ordinances, and to alter the fourth Article, and sundry sections of the Constitution.

5. An Ordinance to alter the tenth section of the first Article of the Constitution of the State of South Carolina, and the amendment thereof, ratified the twenty-eighth day of January, one thousand eight hundred and sixty-one ; also, to alter the tenth section of the amendments ratified on the seventeenth day of December, eighteen hundred and eight, and likewise the second clause of the eleventh Article of the Constitution aforesaid.

6. An Ordinance to ratify the Provisional Constitution and Government of the Confederate States of America.

7. An Ordinance to repeal in part and alter in part the Ordinance entitled "An Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department."

8. An Ordinance to transfer to the Government of the Confederate States of America, the use and occupancy of the forts, arsenals, navy-yards, custom-houses, and other public sites within the limits of this State.

9. A Resolution to provide for the transfer of arms, ordnance, and munitions of war, by this State to the Government of the Confederate States of America.

10. A Resolution to provide for the transfer of the regular enlisted troops of this State to the Government of the Confederate States.

11. Resolutions to provide for tendering a volunteer force to the Confederate States.

12. A Resolution authorizing the Governor to commission officers of Volunteer Companies in certain cases.

All of which is respectfully submitted,

THOMAS Y. SIMONS,

*Chairman.*

The Convention proceeded to the consideration of the report of the Committee appointed to ascertain and report how much of the legislation of Congress had been abrogated by the secession of the State, and, on motion of Mr. Chesnut, the report was ordered to lie on the table.

Mr. John Jenkins stated that Mr. G. W. Seabrook had been prevented from attending the present session of the Convention by sickness and death in his family; and, on motion of Mr. Jenkins, Mr. Seabrook was excused, for the reason assigned.

On motion of Mr. DeTreville, it was ordered, that when the Convention adjourns, it shall be adjourned to meet to-morrow at eleven o'clock, A. M.

The President stated that Mr. F. J. Porcher, Cashier, and Mr. B. H. Rutledge, Deputy Cashier, were prevented from attending the Convention by their military engagements; and the President announced that Mr. T. M. Hanckel is appointed Deputy Cashier of the Convention.

Mr. Chesnut offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That this Convention having disposed of all the business before them, a Committee of three be appointed to visit the Governor and Commander of the Forces in the harbor of Charleston, and invite them to make such communication to the Convention as they, or either of them, may deem expedient.

Whereupon, the President appointed the following gentlemen, of the Committee:

Messrs. James Chesnut, Jr.,

I. W. Hayne,

Langdon Cheves.

On motion of Mr. Evans, leave of absence was granted to Mr. Harlee, on account of illness in his family.

On motion of Mr. D. L. Wardlaw, leave of absence was granted to Mr. Johnson, on account of pressing engagements.



On motion of Mr. Cheves, leave of absence was granted to Mr. Rhodes, on account of urgent domestic affairs.

On motion of Mr. Bobo, leave of absence was granted to Mr. Foster, on account of military duties.

On motion, the Convention was adjourned at two o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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WEDNESDAY, APRIL 10, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. J. M. Timmons.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,  
Appleby,  
Atkinson,  
Ayer,  
Barron,  
Barton,  
Beaty,  
Bellinger,  
Betha,  
Bobo,  
Brown, A. H.  
Buchanan,  
Cain,  
Caldwell,  
Calhoun,  
Carlisle,  
Carroll,  
Caughman,  
Charles,  
Chesnut,  
Cheves,  
Clarke,

Messrs. Darby,  
Davant,  
DeSaussure,  
DeTreville,  
Dunkin,  
DuPre,  
Easley,  
Ellis,  
Fair,  
Flud,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Hammond,  
Hanckel,  
Harrison,  
Hayne,  
Henderson,  
Honour,



Messrs. Hunter,  
 Hutson,  
 Inglis,  
 Ingram,  
 Jackson,  
 Jefferies,  
 Jenkins, J. E.  
 Kilgore,  
 Kinard,  
 Kinsler,  
 McCrady,  
 McIver,  
 McKee,  
 Mauldin,  
 Maxwell,  
 Means,  
 Middleton, J. I.  
 Middleton, Williams  
 Miles,  
 Moore,  
 Moorman,  
 Orr,  
 Palmer,  
 Parker,

Messrs. Perrin,  
 Pope,  
 Quattlebaum,  
 Reed,  
 Robinson,  
 Rowell,  
 Scott,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Spratt,  
 Springs,  
 Thomson, Thomas  
 Timmons,  
 Townsend,  
 Wardlaw, D. L.  
 Wier,  
 Wilson, J. H.  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

The President laid before the Convention the following communication, which, on motion of Mr. Reed, was ordered to be entered on the journal:

HEADQUARTERS PROVISIONAL FORCES,  
 Charleston, South Carolina.

Hon. D. F. JAMISON, *President of the Convention,*

*State of South Carolina :*

SIR: I had the honor this morning of receiving, through a Committee of your State Convention, its resolutions, expressing confidence in my professional skill, courage and sound judgment, and in the efficient coöperation of the several members of my staff, and other assistants, military and naval, and tendering to the individuals designated and to the various forces in the service, the thanks of the State for

their successful efforts thus far, in protecting the honor and interests of the State.\*

Allow me, sir, through you, to thank the honorable body over which you preside, for this evidence of their kindness to myself and assistants, and to the forces under my orders. I feel highly gratified that in so short a time it has been my good fortune to meet your approbation in the discharge of my official duties, and it is a source of pride for me to state that I feel much indebted for the expression of your resolutions to the active and willing coöperation of every one under my command. Never have I seen a more universal exhibition of determination and self-denial on the part of individuals for the promotion of any cause, than that of the forces under my command for the accomplishment of the great object we have in view. Encouraged by the great trust imposed in them, I can confidently express the hope that all under my command will continue to merit your approbation. It will be my pleasure to communicate to the troops and others under my orders, the substance of your flattering resolutions.

I am, sir, very respectfully,

Your obedient servant,

P. G. T. BEAUREGARD,

*Brigadier General Commanding.*

Mr. Inglis offered the following resolutions, which were considered immediately, and were *unanimously* agreed to :

*Resolved*, That in the resolutions of commendation and thanks to the organized forces and individual officers employed in the military and naval service of the State, it was the purpose of the Convention to have expressed, as was felt, the sentiments therein conveyed towards all the various organized bodies of men and individuals who had been employed ; and if, owing to our want of acquaintance with the precise relations existing among the bodies and individuals, the terms of the resolutions proved not large enough to have embraced them all, it would be unjust to this Convention, and to those omitted an occasion of profound regret, that such omission should be supposed to have been designed.

*Resolved*, That the commanding General be requested, in communicating the said resolutions, to state that under the terms used by the State Convention, it was its purpose to express its just appreciation of the patriotism and zealous devotion to the cause of the State of all the

men and officers, in whatever department of the service—volunteers or regulars, regiments, battalions or companies.

Mr. Reed offered the following resolutions, which were agreed to :

*Resolved*, That the patriotic devotion and loyalty exhibited by Brevet Major General David E. Twiggs, late of the United States Army, to the rights and interests of the South, by resigning his commission and turning over the public property under his control to the authorities of the State of Texas, upon its secession from the Union, eminently entitles him to the gratitude of the Confederate States of America; and the thanks of the people of South Carolina are hereby most cordially tendered to him.

*Resolved*, That a copy of the foregoing resolution be communicated to General Twiggs by the President of this Convention.

Mr. Chesnut presented the following report, which was considered immediately, and was agreed to :

The Committee appointed to visit his Excellency the Governor and the Commander of the Forces, beg leave to report that they have waited on these gentlemen, and are informed that the provisions already made by the Convention are deemed by them adequate to all probable emergencies, and that they have, therefore, no further communication to submit.

Mr. Simons moved that the Convention do now adjourn, subject to the provisions of the resolution heretofore agreed to; and the question being put, will the Convention agree thereto? it passed in the affirmative :

Yeas, 62; nays, 32.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and	
Messrs. Allison,	Messrs. Bellinger,
Appleby,	Bethea,
Atkinson,	Calhoun,
Ayer,	Carlisle,
Barron,	Carroll,
Barton,	Caughman,
Beaty,	Cheves,

Messrs. Davant,  
 DeSaussure,  
 Duncan,  
 DuPre,  
 Easley,  
 Ellis,  
 Garlington,  
 Geiger,  
 Hammond,  
 Harrison,  
 Hayne,  
 Henderson,  
 Honour,  
 Hunter,  
 Hutson,  
 Jackson,  
 Jefferies,  
 Jenkins, J. E.  
 Kilgore,  
 Kinard,  
 McLeod,  
 Magrath,  
 Mauldin,  
 Maxwell,

Messrs. Mazyck,  
 Means,  
 Moore,  
 Orr,  
 Palmer,  
 Parker,  
 Reed,  
 Robinson,  
 Rowell,  
 Scott,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Sims,  
 Smith, Thomas  
 Spratt,  
 Springs,  
 Thomson, Thomas  
 Timmons,  
 Wier,  
 Wilson, J. H.  
 Woods,  
 Young.

Those who voted in the negative, are

Messrs. Bobo,  
 Brown, A. H.  
 Buchanan,  
 Cain,  
 Caldwell,  
 Clarke,  
 Darby,  
 DeTreville,  
 Fair,  
 Flud,  
 Furnman,  
 Gist,  
 Glover,

Messrs. Gourdin, R. N.  
 Hanckel,  
 Inglis,  
 Kinsler,  
 McCrady.  
 McKee,  
 Middleton, J. Izard  
 Middleton, W.  
 Miles,  
 Moorman,  
 Nowell,  
 O'Hear,  
 Pope,

Messrs. Quattlebaum,  
Richardson, J. P.  
Simpson,

Messrs. Smith, J. J. P.  
Townsend,  
Wardlaw, D. L.

So the motion was agreed to ; and the Convention was adjourned in accordance with the provisions of the resolutions.

B. F. ARTHUR,  
*Clerk of the Convention.*



## PROCLAMATION.

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### STATE OF SOUTH CAROLINA :

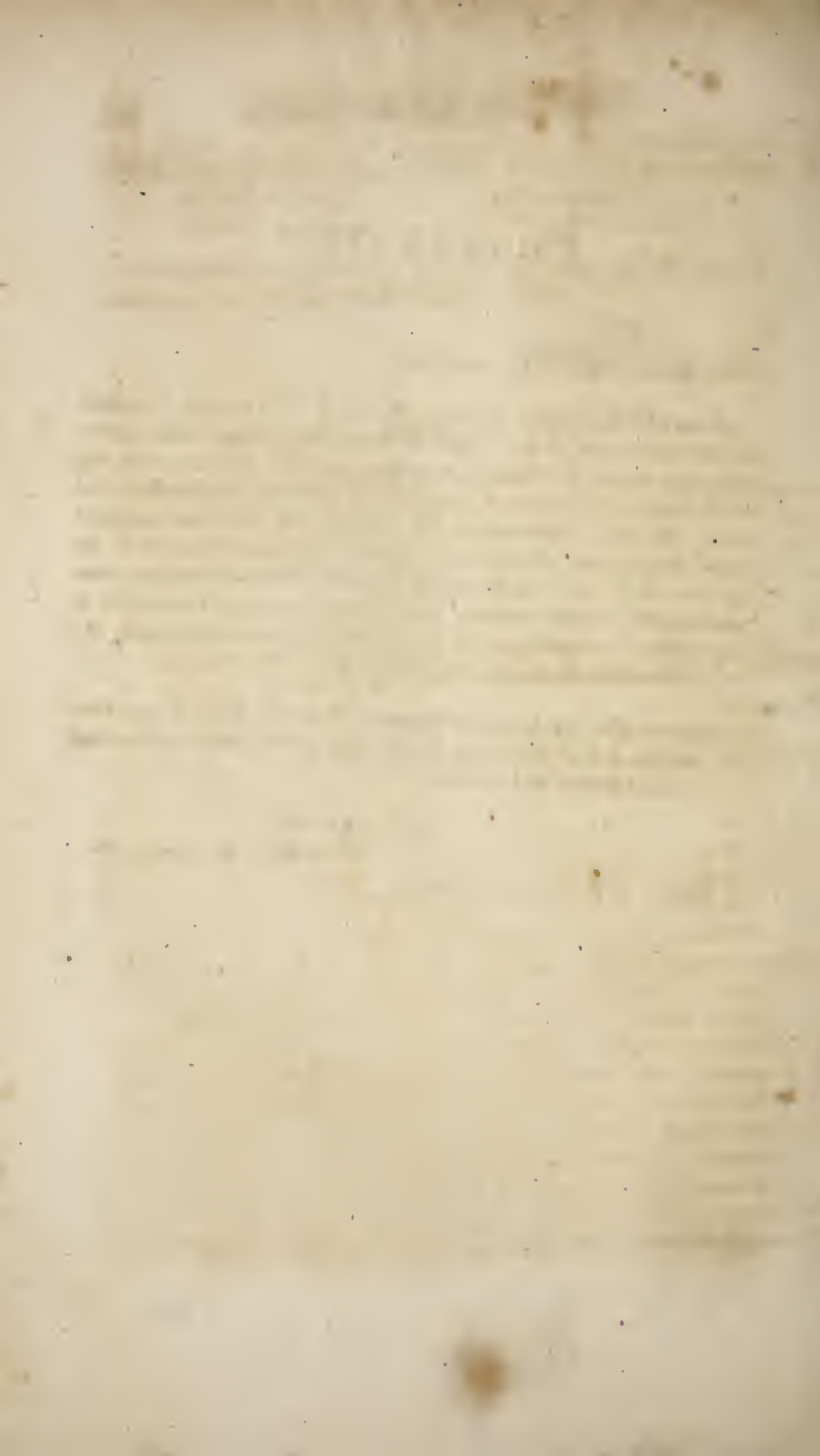
*Know all Men by these Presents,* That I, D. F. JAMISON, President of the Convention of the People of South Carolina, assembled pursuant to an Act of the General Assembly, passed on the thirteenth day of November, in the year of our Lord one thousand eight hundred and sixty, and which adjourned on the tenth day of April, one thousand eight hundred and sixty-one, by virtue of the authority vested in me by the said Convention, do hereby convoke the same ; and, by these presents, do herewith summon the members of the said Convention to reassemble at Columbia, in the State aforesaid, at twelve o'clock, M., on the twenty-sixth day of December next.

Given under my hand, at Burwood, Barnwell District, this fourteenth day of December, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON,

*President of the Convention.*

*Attest :* B. F. ARTHUR, *Clerk.*



## THIRD SESSION.

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THURSDAY, DECEMBER 26, 1861.

Pursuant to the Proclamation of the President of the Convention, issued on the fourteenth day of December, one thousand eight hundred and sixty-one, the Convention of the People of South Carolina re-assembled in the Hall of the House of Representatives, in the City of Columbia, on this day, at twelve o'clock, M.

The President took the chair, and the proceedings were opened with prayer by Rev. T. R. English; after which, the Clerk called the roll, and the following Delegates answered to their names:

Messrs. Allison,  
Appleby,  
Atkinson,  
Barron,  
Barton,  
Brown, A. H.  
Buchanan,  
Cain,  
Caldwell,  
Carlisle,  
Carroll,  
Caughman,  
Cauthen,  
Curtis,  
Davant,  
DeSaussure,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
English,

Messrs. Fair,  
Finley,  
Flud,  
Forster,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Harrison,  
Hayue,  
Henderson,  
Hopkins,  
Hutson,

Messrs. Jenkins, John

Keitt,

Kilgore,

Kinard,

Kinsler,

Lawton,

Lewis,

McCrady,

Maxwell,

Mayes,

Middleton, John Izard

Middleton, Williams

Noble,

Nowell,

O'Hear,

Palmer,

Parker,

Messrs. Pope,

Quattlebaum,

Rainey,

Rhodes,

Seabrook, E. M.

Seabrook, G. W.

Shingler, J. M.

Shingler, W. P.

Smith, J. J. P.

Springs,

Stokes,

Timmous,

Tompkins,

Townsend,

Williams,

Wilson, W. B.

Young.

A quorum of the Convention not being present,

On motion of Mr. Keitt, the Convention was adjourned to meet tomorrow at ten o'clock, A. M.

B. F. ARTHUR,

*Clerk of the Convention.*

## FRIDAY, DECEMBER 27, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and addressed the Convention as follows:

Before your adjournment, on the 10th of April last, you devolved on me the very responsible duty of calling you together, whenever, in my judgment, the public exigencies should require it. I have seldom been placed in a situation, where the responsibilities attending it have weighed more heavily upon me than in the discharge of this duty.

While, on the one hand, I felt that it might be expected of me, in reassembling a body which brought again into active exercise the sovereign authority of the State, that I should be able to indicate certain

specific, remedial measures for the difficulties and perils that surround us; yet, on the other hand, I was conscious that there were great questions likely to arise out of the critical position of our affairs, which could only be met and solved by a body of representative men from all parts of the State, selected for their supposed qualifications for a time of revolution, who, while they could exercise supreme power, possessed the entire confidence of the people of South Carolina.

Within the last two months our soil has been invaded by a hostile force, and our enemies are, at this moment, in possession of a portion of the wealthiest and best part of our seaboard. Apart from the serious loss, resulting from this invasion, to a large number of our citizens, a question of great moment may arise, what shall be done with the slave population which have come in contact with abolitionism.

At one time it was a question of great imminence—but I trust that danger is now wholly past—what should be done with our metropolis, if it were likely to fall into the hands of the enemy.

Besides, if the present condition of things last, it might happen—the great body of our people being in the field—that the next fall elections might be suffered to go by default, and the State would then be left without an organized government.

Weighty as these and other reasons were, which operated on my mind, they were not sufficient to decide my action in reassembling you. When you adjourned in April last, the condition of the country was involved in uncertainty and danger, and you prolonged your existence for eight months. The perils which now threaten the State, are of a far graver character than they seemed to any of us at the period of your last adjournment; and, therefore, I felt fully assured that if you had been in session at the time when you were summoned to meet here, that you would not have limited your existence to the term you before prescribed.

Influenced by such convictions, I was unwilling to assume the responsibility of permitting you to be dissolved. I have therefore called you together “for the purpose of taking into consideration the dangers incident to the position of the State, and to take care that the Commonwealth of South Carolina shall suffer no detriment,” or, to fix such further time for the dissolution of this body, as in your judgment may be deemed best.

The proceedings were opened with prayer by Rev. William Curtis;



after which the Clerk called the roll, and the following Delegates answered to their names:

## Messrs. Allison,

Appleby,  
Atkinson,  
Ayer,  
Barron,  
Barton,  
Bethea,  
Bobo,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Buchanan,  
Burnet,  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carlisle,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Clarke,  
Curtis,  
Darby,  
Davant,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
DuPre,  
English,  
Evans,  
Fair,  
Finley,

## Messrs. Flud,

Forster,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harrison,  
Hayne,  
Henderson,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Keitt,  
Kilgore,  
Kinard,  
Landrum,  
Lawton,  
McCady,  
Melver,  
McKee,  
McLeod,

Messrs. Magrath,  
 Manigault,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Mazyek,  
 Means,  
 Middleton, John Izard  
 Middleton, Williams  
 Moore,  
 Moorman,  
 Noble,  
 Nowell,  
 O'Hear,  
 Palmer,  
 Parker,  
 Perrin,  
 Pope,  
 Porcher,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhodes,  
 Robinson,  
 Rowell,  
 Scott,

Messrs. Seabrook, E. M.  
 Seabrook, G. W.  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Timmons,  
 Tompkins,  
 Wahnemaker,  
 Wardlaw,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Young.

The journal of yesterday's proceedings was read.

The President announced that Mr. C. H. DeLorme is appointed Messenger, and Mr. S. Waddell is appointed Door-keeper of the Convention.

The President presented to the Convention the following communication :

CHARLESTON, December 24, 1861.

Hon. D. F. JAMISON,

*President of Convention of South Carolina :*

DEAR SIR : I greatly regret that circumstances, growing out of the late conflagration in this city, will prevent me from attending the meeting of the Convention.

May I ask the favor of you to communicate the reason of my non-attendance, and ask for me leave of absence, and much oblige,

Very respectfully, your obedient servant,

JNO. H. HONOUR.

On motion of Mr. Magrath, leave of absence was granted to Mr. Honour.

Mr. George Boswell, Delegate from Edgefield, elected to fill the vacancy occasioned by the death of Mr. F. H. Wardlaw, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

Mr. John S. Preston, Delegate from Richland, elected to fill the vacancy occasioned by the death of Mr. J. H. Adams, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

Mr. Quattlebaum offered the following resolution, which was considered immediately, and was agreed to:

*Whereas*, The contract for Printing, by Messrs. Evans and Cogswell, was confined to the sittings of the Convention while held in Charleston:

*Be it Resolved*, That it be now referred to the Committee on Printing, to receive proposals for printing the proceedings of the Convention while the sittings thereof shall be held in Columbia; and that they report thereon as early as practicable.

On motion of Mr. Dunkin, the Convention went into

#### SECRET SESSION.

Mr. Hayne offered the following resolution:

*Resolved*, That the following Special Committees be raised:

*Special Committee No. 1*, which shall be charged with devising and reporting a scheme of action in relation to slaves in the possession or under the influence of the enemy on the seaboard, and in relation to those slaves likely to become so.

*Special Committee No. 2*, which shall be charged with considering and reporting upon the proper action of the State in case, at any time, further valuable portions of our territory should be pronounced untenable by the military authorities.

*Special Committee No. 3*, which shall be charged with considering and reporting the means by which the State can afford most ready and efficient aid to the Confederate authorities in expelling the invaders from our borders.

*Special Committee No. 4*, which shall be charged with devising and reporting a plan for building or procuring war vessels for harbor and coast defence.

*Special Committee No. 5*, which shall be charged with devising and reporting a plan for strengthening, during the exigencies of the war, the Executive Department, by giving to the Governor a Cabinet, for purposes of consultation and performance of administrative functions.

On motion of Mr. McCrady, the question upon the adoption of the various clauses of the resolution was divided.

Mr. Maxey Gregg moved that the first section of the resolution be referred to the Committee on the Military; which motion was not agreed to.

The first section was agreed to.

The second section was agreed to.

Mr. Inglis moved to amend the third clause, so as to read,

“That the Committee on the Military be charged with considering and reporting the means by which the State can afford most ready and efficient aid to the Confederate authorities, in expelling the invaders from our borders;” which motion was not agreed to.

The third clause was agreed to.

The fourth clause was agreed to.

Mr. J. J. P. Smith moved that the fifth clause be amended by striking out the words, “by giving to the Governor a Cabinet for purposes of consultation and performance of administrative functions.”

The amendment was accepted by the mover of the resolution, and the clause as amended was agreed to.

On motion of Mr. Hayne, it was resolved that Special Committee No. 1 consist of seven persons; and Special Committees Nos. 2, 3, 4 and 5 consist each of five persons, to be appointed by the President of the Convention.

Mr. Inglis offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to Special Committee No. 5, to inquire



and report upon the expediency of providing for the creation of an Executive Council, to be called The Council of Safety, to continue in existence during the present war between the Confederate States and the United States, unless sooner abolished by Ordinance of this Convention, and to be constituted on the following principles: The said Council shall consist of the Lieutenant Governor and six other persons, to be elected by this Convention by ballot, one from each of the Congressional Districts of the State; and for the purpose of such election the delegation of each Congressional District in this body shall nominate two persons resident within the limits of their District, one of whom shall be chosen as aforesaid by the Convention.

The Governor of the State, for the time being, shall submit to the consideration of the said Council all nominations or appointments to office, civil or military, and all other acts and measures of either kind which, by the Constitution and laws of this State and the Ordinances of this Convention, he is or shall be authorized and empowered to make, do, or adopt, and no appointment to office, or act or measure, shall be valid or binding unless sanctioned by the advice and consent of a clear majority of the said Council.

The said Council shall be convened from time to time by the summons of the Governor, and shall keep a record of their proceedings, and for this purpose the Special Private Secretary of the Governor shall be Secretary of the Council, without additional pay.

The members of the said Council shall receive a compensation of ten dollars per diem for every day during which they shall be in attendance upon the sessions of the Council, and in addition, ten cents per mile for every mile actually traveled in going to and returning from the place of the said session.

Mr. Fair offered the following resolutions, which were considered immediately, and were agreed to:

*Resolved*, That it be referred to the Committee on the Constitution to inquire and report as to the propriety and expediency of suspending during the present war, the twenty-ninth section of Article first of the Constitution of this State:

Also, as to the necessity and expediency of suspending or repealing the third section of an Act of the General Assembly entitled "An Act for regulating and fixing the salaries of several officers, and for other purposes therein mentioned," ratified the 27th March, 1787.



Also, to inquire and report as to the necessity and expediency of suspending during the war so much of the Constitution of this State as may be found to conflict with the action of the General Assembly at its recent session, in reference to providing for the exercise of the right of suffrage by citizens who are in the public service, or who are driven from their homes by the presence of the enemy.

On motion of Mr. McCrady, the Convention resolved itself into open session.

Mr. Preston offered the following resolutions, which were considered immediately, and were agreed to:

*Whereas*, This Convention of the People of South Carolina have heard, with profound grief, of the death of James H. Adams, a delegate to this Convention from the people of Richland District:

*Be it Resolved, unanimously*, That in the judgment of this Convention, the death of James H. Adams deprives the State of one of her wisest counsellors and most patriotic citizens.

*Resolved*, That the President of this Convention be requested to communicate these proceedings to the family of the deceased, and order the same to be recorded in the journal of the Convention.

*Resolved*, In further testimony of the respect of this Convention for the memory of James H. Adams, the Convention do now adjourn.

The Convention was adjourned at fifty minutes past twelve o'clock, M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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SATURDAY, DECEMBER 28, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. Daniel DuPre.

The Clerk called the roll, and the following Delegates answered to their names:

Messrs. Allison,  
Atkinson,  
Ayer,

Messrs. Barnwell,  
Barron,  
Barton,

## Messrs. Bethea,

Bobo,  
Boswell,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Buchanan,  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carlisle,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Clarke,  
Curtis,  
Darby,  
Davant,  
Davis,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
DuPre,  
English,  
Fair,  
Fiuley,  
Flud,  
Forster,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,

## Messrs. Gregg, Maxcy

Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Hopkins,  
Hutter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Johnson,  
Keitt,  
Kilgore,  
Landrum,  
Lawton,  
Mclver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyek,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Nowell,  
O'Hear,  
Palmer,  
Parker,  
Perrin,  
Porcher,

Messrs. Preston,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Robinson,  
 Rowell,  
 Scott,  
 Stabrook, E. M.  
 Seabrook, G. W.  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.

Messrs. Smyly,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Timmons,  
 Tompkins,  
 Wannamaker,  
 Wardlaw,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

The President laid before the Convention the following communication:

HEAD QUARTERS CH. LT. DRAGOONS,  
 On Broad River, December 25, 1861.

HON. D. F. JAMISON :

DEAR SIR : I write to request leave of absence from the present session of the Convention, on account of military reasons. My command is upon a somewhat exposed outpost; and the Commanding General (Pemberton) is extremely reluctant to give permission to officers to leave their posts at the present juncture.

Believing that I may be of more service to the State where I am, than in endeavoring to assist the deliberations of the Convention, I make the above request.

I have the honor to be,

Very respectfully,

Your obedient servant,

B. H. RUTLEDGE.

On motion of Mr. J. Izard Middleton, leave of absence was granted to Mr. Rutledge.

On motion of Mr. Harlee, leave of absence was granted to Mr. Bonneau, on account of military duty.

On motion of Mr. Hutson, leave of absence was granted to Mr. Frampton, on account of domestic circumstances forbidding his absence from his family.

The President laid before the Convention the following communication :

WALTERBORO', S. C., December 24th, 1861.

HON. D. F. JAMISON,

*President of the Convention :*

DEAR SIR : I am sorry to inform you that it is out of the question for me to attend the meeting of the Convention, ordered for to-morrow. I am confined to my room from sickness, and my physician expressly forbids my leaving home at the present time.

I am, dear sir,

Yours, with respect and esteem,

M. E. CARN.

On motion of Mr. Keitt, leave of absence was granted to Mr. Carn.

Mr. Quattlebaum, from the Committee on Printing, made the following report, which was considered immediately, and was agreed to :

The Committee on Printing, to whom was referred a resolution instructing them to receive proposals for printing the proceedings of the Convention while its sittings shall be held in Columbia, beg leave to report, that they have discharged the duty assigned them ; and after due notice being extended to such parties as were supposed to be capable of doing the work, Dr. R. W. Gibbes is the only one who has made them an offer. He proposes to execute the work in good style, and on paper equal in quality to that used for the legislative printing in 1858 and 1859, on the following terms : " For journals, calendars, reports, resolutions, &c., for 200 copies, \$1 36 per page. For more than 200 copies, the cost of composition (55 cents) deducted for each 200, viz : 81 cents per page—being the same price paid in Charleston."

Your Committee, believing Dr. Gibbes to be prepared to do the work as stated, recommend the adoption of the following resolution :



*Resolved*, That Dr. R. W. Gibbes be appointed Printer to the Convention while its sittings shall be held in Columbia.

On motion of Mr. Quattlebaum, the Convention went into

### SECRET SESSION.

The President announced the following Committees :

Special Committee No. 1, which shall be charged with devising and reporting a scheme of action in relation to slaves in the possession or under the influence of the enemy on the seaboard; and in relation to the slaves likely to become so :

Messrs. R. W. Barnwell,  
B. F. Dunkin,  
A. G. Magrath,  
James Chesnut, Jr.,  
John Townsend,  
J. H. Means,  
Win. H. Gist.

Special Committee No. 2; which shall be charged with considering and reporting upon the proper action of the State, in case, at any time, further valuable portions of our territory should be pronounced untenable by the military authorities :

Messrs. I. W. Hayne,  
J. N. Whitner,  
J. P. Carroll,  
Wm. F. DeSaussure,  
R. N. Gourdin.

Special Committee No. 3, which shall be charged with considering and reporting the means by which the State can afford most ready and efficient aid to the Confederate authorities in expelling the invaders from our borders :

Messrs. J. L. Orr,  
Maxcy Gregg,  
L. M. Keitt,  
R. DeTreville,  
Thomas C. Perrin.

Special Committee No. 4, which shall be charged with devising and



reporting a plan for building or procuring war vessels for harbor and coast defence :

Messrs. A. H. Brown,  
John S. Preston,  
J. Izard Middleton,  
A. C. Spain,  
F. J. Poreher.

Special Committee No. 5, which shall be charged with devising and reporting a plan for strengthening, during the exigencies of the war, the Executive Department :

Messrs. D. L. Wardlaw,  
T. W. Glover,  
J. A. Inglis,  
Edward McCrady,  
Wm. P. Finley.

Mr. Magrath offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the President of this Convention be requested to fill all vacancies in the Military Committee, appointed at the previous session of this Convention ; and that such committee be a Standing Committee of this Convention.

Mr. Magrath gave notice that he will, on Monday next, ask leave to introduce an Ordinance to provide an armed force for the defence of the State.

Mr. Magrath offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, That his Excellency the Governor be requested to communicate to this Convention, the number of Regiments from this State, which have volunteered in the service of the Confederate States, for the war ; of that number, how many are in service without the limits of the State ; and how many are in service within the limits of the State ; and also the original and the present strength of such regiments.

That his Excellency the Governor be further requested to communicate to this Convention the number of Regiments from this State which

have volunteered in the service of the Confederate States for twelve months; of that number, how many are in service without the limits of the State; and how many are in service within the limits of this State, and also the original and present strength of such regiments, and that the same information be given of any detached companies or battalions in service for the war or for twelve months.

That his Excellency the Governor be further requested to communicate to this Convention the number of arms belonging to this State, which have been given to Regiments of this State, now in the service of the Confederate States, without the limits of this State; how many of such arms have become useless to such regiments by the various causes which have reduced the effective force of such regiments, and what measures, if any, have been taken to have such arms brought back to this State.

That his Excellency the Governor be further requested to communicate to this Convention, the number, grade and condition of arms belonging to this State, issued to any portion of the militia of the State, not in actual use, by reason of exemptions or disabilities, held or claimed by any persons in part composing such militia, and also the number of public arms now in the State, and prepared for immediate use.

Mr. Mazyek offered the following resolution, which, on motion of Mr. Wardlaw, was ordered to lie on the table:

*Resolved*, That a law prohibiting or arresting the enforcement of contracts by legal process, whether permanently or for a limited time, is "a law impairing the obligation of contracts" within the meaning of the second section of the ninth Article of the Constitution of the State.

Mr. DeTreville offered the following resolutions, which were referred to the Committee on the Military:

*Resolved*, That aliens, the subjects of States or sovereignties in amity with the Confederate States, residing within the limits of this State, are, and ought to be to the same extent as are our own citizens, liable to military duty, and that the several military officers of the State are hereby required and commanded to cause such aliens as are able-bodied, between the ages of sixteen and sixty, residing in their respective Districts, to enroll themselves forthwith in the ranks of any one of the military organizations of the State for military duty.

*Resolved*, That all military officers while in actual service are authorized, and so shall be authorized, during the continuance of the present war, to use promptly such force as may be in their judgment necessary to compel any person or persons liable to militia duty to take arms for the defence of the State, and perform military duty in some of the organizations of the State, without being obliged to seek the aid of courts martial.

Mr. Inglis offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That his Excellency the Governor be requested to inform this Convention what regiments, battalions or companies of volunteers have been organized within this State, under any law of the State or any call of his Excellency, and are now in existence, but have not yet been mustered into the service of the Confederate States ; together with the strength of such organizations, and their present position and service.

Mr. DeTreville offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee on the Military, to inquire and report on the expediency of authorizing and requesting the Governor to appoint a suitable person for the city of Charleston, whose duty it shall be, when by him required, to close all places of business within the city, after giving five days' public notice—except such places of business as are managed by men disqualified by reason of age or otherwise, for militia duty—or by women—and except such places as are used for the manufacture of arms and munitions of war, and the preparation of naval and military stores.

Mr. Inglis offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee on the Military, to inquire and report upon the expediency of providing some prompt and effectual method of collecting the public arms, which are now scattered over the State in the possession of individuals or otherwise, and not in use in the public service ; also, of procuring for the use of the State, such arms as belong to individuals, who may be willing to part with the

same; also, of repairing such of the said arms, so to be collected and procured, as are defective, and of ensuring the manufacture of new arms.

On motion of Mr. Fair, the doors were opened.

Mr. Carroll offered the following resolutions; which were considered immediately, and were unanimously agreed to:

*Resolved*, That in the death of Hon. Francis H. Wardlaw, the State has lost a citizen, faithful and true; and a magistrate whose learning and ability gave added lustre to her judiciary.

*Resolved*, That this resolution be entered upon the journal of this Convention, and that a copy of the same be communicated to the family of the deceased.

Mr. Young offered the following resolutions, which were agreed to:

*Resolved unanimously*, That this Convention has learned with regret the death of William D. Watts, a delegate from the District of Laurens.

*Resolved*, That in the death of Mr. Watts, this Convention has been deprived of a useful member, and the State of a valuable citizen.

*Resolved*, That a copy of the foregoing resolutions be presented by the Secretary of the Convention to the family of the deceased.

On motion of Mr. Quattlebaum, and as a further mark of respect to the memory of the deceased, the Convention was adjourned at fifty minutes past eleven o'clock, A. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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MONDAY, DECEMBER 30, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the roll, and the following delegates answered to their names:



Messrs. Allison,

Appleby,

Atkinson,

Barron,

Barton,

Bethca,

Bobo,

Boswell,

Brown, A. H.

Brown, C. P.

Cain,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Cauthen,

Charles,

Chesnut,

Curtis,

Darby,

Davant,

DeTreville,

Duncan,

Dunkin,

Dunovant, A. Q.

DuPre,

Easley,

English,

Finley,

Flud,

Forster,

Furman,

Gadberry,

Garlington,

Geiger,

Gist,

Glover,

Goodwin,

Gourdin, R. N.

Green,

Messrs. Gregg, Maxey

Gregg, William

Grisham,

Hanckel,

Harlee,

Harrison,

Henderson,

Hopkins,

Hunter,

Hutson,

Inglis,

Ingram,

Jackson,

Jefferies,

Johnson,

Keitt,

Kilgore,

Kinsler,

Landrum,

Lawton,

Lewis,

McCrady,

McIver,

McKee,

McLeod,

Magrath,

Manigault,

Maxwell,

Mayes,

Mazyck,

Means,

Middleton, John Izard

Middleton, Williams

Moore,

Moorman,

Nowell,

O'Hear,

Palmer,

Perrin,

Porcher,



Messrs. Preston,  
 Quattlebaum,  
 Rainey,  
 Rhodes,  
 Robinson,  
 Rowell,  
 Scott,  
 Seabrook, E. M.  
 Seabrook, G. W.  
 Sessions,  
 Shingler, J. M.  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smyly,  
 Snowden,

Messrs. Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Woods,  
 Young.

The journal of Saturday's proceedings was read.

The President laid before the Convention the following communication, which, on motion, was ordered to lie on the table :

COLUMBIA, 30th December, 1861.

Hon. D. F. JAMISON,

*President of the Convention :*

SIR : Not desiring to participate further in the proceedings of the Convention, and hoping that my place may be supplied for this or some subsequent session, I hereby resign my seat in the body over which you preside.

Respectfully,

T. J. WITHERS.

On motion of Mr. Dunkin, leave of absence was granted to Mr. Parker, on account of affliction in his family.

On motion of Mr. Moorman, leave of absence was granted to Mr. Kinard, on account of military duty.

Mr. Carroll presented the account of Lewis Jones, for services rendered in serving writ of election ; which was referred to the Committee on Accounts.

On motion of Mr. Carroll, it was

*Ordered,* That the President be requested to fill vacancies in the Committee on Accounts.

Mr. Preston offered the following resolution; which was considered immediately, and was agreed to:

*Resolved*, That it be referred to the Committee on the Military to inquire into the expediency of increasing the powers of the Adjutant General of the State, in the organization and movement of troops, and other matters directly pertaining thereto.

On motion of Mr. Barnwell, the Convention went into

#### SECRET SESSION.

On motion of Mr. Barnwell, leave was granted to Special Committee No. 1, to hold their sittings during the sittings of the Convention.

The President announced that Messrs. W. F. Hutson and Perry E. Duncan are added to the Committee on the Military; and that Mr. R. J. Davant is added to the Committee on Accounts.

Mr. DeTreville offered the following resolution, which was considered immediately, and was referred to the Committee on the Military:

*Resolved*, That in all cases of draft hereafter, the offices shall not be filled by election, but if the draft is of a Regiment, the Field Officers shall be appointed by the Governor, and the Company Officers by the Colonel so appointed, and the non-commissioned officers by the Captains of the Companies, respectively; if the draft is of Companies, one or more, the officers shall be appointed by the Colonel or other commanding officer of the Regiment from which the draft may be made.

Mr. DeTreville offered the following resolution:

*Resolved*, That the members of the two branches of the Legislature of this State, and their respective officers, have never been before, and ought not now to be, exempt from the performance of ordinary militia and patrol duty, except during the sittings of the Legislature and immediately before and after; and, therefore, that so much of an Act entitled "An Act to amend and suspend certain portions of the Militia and Patrol laws of this State," passed on the 7th day of December of the present year, as exempts the members of both branches of the General Assembly and their respective officers, from ordinary militia and patrol duty, ought to be, and is hereby, declared null and void.

Mr. Bobo moved that the resolution be ordered to lie on the table; which motion was not agreed to.

Mr. Glover offered the following amendment, which was accepted by the mover of the resolution :

*Resolved*, That the Committee on the Military inquire and report who should be exempt from ordinary militia duty during the present war.

Mr. McCrady offered the following amendment, which was agreed to :

*Resolved*, That the Act of the Legislature, passed at its last session, entitled " An Act to amend and suspend certain portions of the Militia and Patrol laws of this State," be referred to the Committee on the Military.

Mr. Wardlaw offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Special Committee No. 5 be instructed to inquire whether the Executive Department should not be empowered to fill all offices and appointments, which have been left vacant for default of Legislative action ; and that the Committee have leave to report by Ordinance or otherwise.

A communication was received from his Excellency the Governor, and was read by his Special Private Secretary, Mr. F. J. Moses, Jr.

On motion of Mr. J. I. Middleton, the communication and the accompanying documents were referred to the Committee on the Military.

Mr. DeTreville offered the following resolutions, which were considered immediately, and were referred to the Special Committee No. 1 :

*Whereas*, The Government of the United States, in violation of the well recognized rules of modern warfare among civilized nations, has used, and is now using, its power for the plunder and destruction of all private property, and has already, by the aid of its army and navy, spirited away and stolen large numbers of negroes from the peaceful and unoffending planters of the Southern States : Therefore

*Resolved*, That in the opinion of this Convention, it ought to be the desire of the Confederate Government, by all appropriate measures, to aid in the recovery and restoration of the aforesaid negroes to their owners ; or failing in this, to compel the Government of the United

States to make ample indemnity for the losses which their owners have incurred, or may hereafter incur.

*Resolved*, That in the opinion of this Convention, no peace ought to be concluded with the United States which does not procure for all persons who have been, or shall hereafter be, deprived of their slaves by the action of that Government, full indemnity for every negro which may be lost, stolen or killed, during the continuance of the war; and that the State of South Carolina is willing that the war should be prolonged indefinitely, if necessary, for the procurement of such indemnity.

On motion of Mr. A. H. Brown, the doors were opened.

On motion of Mr. Wardlaw, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

On motion of Mr. Hayne, the Convention was adjourned at forty-five minutes past twelve o'clock, M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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TUESDAY, DECEMBER 31, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. M. Timmons.

The Clerk called the roll, and the following delegates answered to their names:

Messrs. Allison,  
Appleby,  
Atkinson,  
Barnwell,  
Barron,  
Barton,  
Bethea,  
Bobo,

Messrs. Boswell,  
Brabham,  
Brown, A. H. ;  
Brown, C. P.  
Cain,  
Caldwell,  
Calhoun,  
Campbell,



Messrs. Carlisle,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Clarke,  
Crawford,  
Curtis,  
Davant,  
Davis,  
DeSaussure,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
DuPre,  
English,  
Evans,  
Finley,  
Flud,  
Forster,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,

Messrs. Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Landrum,  
Lawton,  
Lewis,  
McCrady,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Maxwell,  
Mayes,  
Means,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Mooriman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Perrin,  
Poreher,  
Preston,  
Quattlebaum,  
Rainey,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robinson,



Messrs. Rowell,  
 Scott,  
 Seabrook, E. M.  
 Seabrook, G. W.  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smyly,  
 Snowden,  
 Spain,  
 Spratt,

Messrs. Springs,  
 Stokes,  
 Thompson, R. A.  
 Timmons,  
 Tompkins,  
 Wannamaker,  
 Wardlaw,  
 Whitner,  
 Wier,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

The President laid before the Convention the following communication, which, on motion of Mr. Duukin, was ordered to lie on the table:

CAMP NEAR CENTREVILLE, VA.,

7TH REGIMENT S. C. V.,

December 24th, 1861.

HON D. F. JAMISON,

*President of the Convention:*

DEAR SIR: Your call for the reassembling of the State Convention has just been brought to my notice. At this late hour, connected as I am with the army, my early attendance will be impossible. The object for which the Convention is called would be attained, and the business dispatched, before the formalities attending the obtaining of a furlough could be gone through with. Under the circumstances, I desire to be excused from taking my seat in the honorable body over which you preside.

Very respectfully,

Your obedient servant,

THOS. W. BEATY,

*Delegate from Kingston.*

On motion of Mr. J. Izard Middleton, leave of absence was granted to Mr. Beaty.

On motion of Mr. Inglis, leave of absence was granted to Mr. McIver, on account of military duty.

On motion of Mr. Furman, leave of absence was granted to Mr. Easley, on account of military duty.

On motion of Mr. Bobo, leave of absence was granted to Mr. Foster, on account of military duty.

On motion of Mr. DeSaussure, the Convention went into

### SECRET SESSION.

Mr. Harlee presented the Report of the Committee on the Military on a resolution of inquiry as to the expediency of increasing the powers of the Adjutant General, which was ordered for consideration to-morrow.

Mr. Barnwell, from the Special Committee No. 1, made a report, and reported an Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy; which was read, and was ordered to be printed, one copy for each member of the Convention, and was made the special order of the day for to-morrow, at half past twelve o'clock, P. M.

Mr. Barnwell, from the same Committee, made a report, and reported an Ordinance to exempt overseers from the performance of militia duty; which was read, was ordered for consideration to-morrow, and to be printed.

Mr. Wardlaw, from the Special Committee No. 5, made a report, and reported an Ordinance for strengthening the Executive Department during the exigencies of the present war; which was read, was ordered to be printed, and was made the special order of the day for to-morrow, immediately after the special order No. 1 shall have been disposed of.

Mr. Gregg presented the report of Special Committee No. 3, which, after various amendments, was, on motion of Mr. Harlee, ordered to lie on the table, and to be printed; and the report was made the special order of the day for the day after to-morrow.

Mr. Quattlebaum offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That Messrs. R. W. Gibbes, E. O. Withington, J. A. Patton, W. W. Deane and W. P. Buford, to whom shall be confided the printing of such matter as may be so ordered in secret session, be sworn to keep well and truly the secrets of this Convention.

Mr. Inglis offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That whenever any part of the proceedings of this Convention in secret session shall be ordered to be printed for the use of the Convention, it shall be the duty of the Printer to print only so many copies as will be equal to the number of members in attendance upon the Convention, and the Clerk ; and to deliver all the same, together with the manuscripts, to the Clerk or Messenger in person, to be by him distributed to the members, and to no other person, and so as that each member shall receive one copy ; and if the Printer shall print any larger number, or shall retain in his possession, or deliver to any other person than as herein ordered, any copy or copies of the same, or shall otherwise, by his agency or neglect, cause or permit the same to become known to any one who is not entitled to such knowledge, he shall, therefor, forfeit all compensation which by contract he is or will be entitled to receive for printing done for this Convention, besides being answerable as for a contempt of this Convention.

The President laid before the Convention the following communication :

*To the President and Members of the Convention :*

GENTLEMEN : As Keeper of the State House and Librarian, I pray leave to say that I shall always be found in attendance and ready to render such services as the Convention may see fit to command.

With high respect,

Your obedient servant,

THEO. STARK.

Mr. Spain offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That Mr. Theodore Stark, the Keeper of the State House and Librarian, be admitted to a seat on the floor during secret session, on taking the oath to keep the secrets of the Convention.

Mr. Stark, and Messrs. Withington, Deane, Buford and Patton, attended at the Clerk's desk, and were sworn to secrecy by the President.

On motion of Mr. McCrady, leave of absence was granted to Mr. Memminger, on account of public engagements.

Mr. Inglis offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee on the Constitution to inquire and report as to the expediency of abolishing the offices of Comptroller General and Treasurers of the Upper and Lower Divisions, and substituting a single office of Secretary of the Treasury, to whom shall be assigned all the duties heretofore belonging to the said three offices.

On motion of Mr. Quattlebaum the doors were opened.

On motion of Mr. Perrin, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet to-morrow at eleven o'clock, A. M.

On motion of Mr. Keitt, the Convention was adjourned at three minutes past two o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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WEDNESDAY, JANUARY 1, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. J. G. Landrum.

The Clerk called the roll, and the following delegates answered to their names :

Messrs. Allison,

Appleby,

Atkinson,

Ayer,

Barron,

Barton,

Bethea,

Bobo,

Boswell,

Brabham,

Brown, A. H.

Messrs. Brown, C. P.

Cain,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Carroll,

Canghman,

Cautben,

Charles,

Chesnut,



Messrs. Clarke,  
Crawford,  
Curtis,  
Davant,  
Davis,  
DeSaussure,  
DeTreville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M  
DuPre,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Forster,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Hankel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Hopkins,  
Hunter,  
Hutson,

Messrs. Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Kershaw,  
Kilgore,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
McCrady,  
McKee,  
McLeod,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Middleton, John Izard  
Middleton, Williams.  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Perrin,  
Quattlebaum,  
Rainey,  
Reed,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Rowell,  
Scott,



Messrs. Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simpson,  
Sims,  
Smith, J. J. P.  
Smyly,  
Snowden,  
Spratt,  
Springs,  
Stokes,

Messrs. Timmons,  
Tompkins,  
Wannamakèr,  
Wardlaw,  
Whitner,  
Wier,  
Williams,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Woods,  
Young.

The journal of yesterday's proceedings was read.  
On motion of Mr. Wardlaw, the Convention went into

### SECRET SESSION.

Dr. R. W. Gibbes, Printer of the Convention, attended at the Clerk's desk, and was sworn to secrecy by the President.

Mr. Wardlaw presented the report of the Committee on the Constitution on a resolution of inquiry as to the offices of Comptroller General and of the Treasurers of the Upper and Lower Divisions, which was ordered for consideration to-morrow.

Mr. Magrath offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the Committee on the Military be directed to consider and report as to the expediency of restoring to an effective condition, that portion of the militia of the State, within the limits of the 4th Brigade, known as the Regiment of Reserves. That the said Committee be further directed to consider and report as to the expediency of organizing in some efficient manner, that portion of the militia of this State, within the same limits, between the ages of 16 and 18 years. And that such organization, if it be considered expedient, should reconcile attention to their educational pursuits with such military service as may be required from them. And that the said Committee have leave to report an Ordinance, if it shall so desire.

Mr. Perrin, from the Committee on the Constitution, made a report, and reported an Ordinance to suspend in part the operation of an Act

of the General Assembly, entitled "An Act for regulating and fixing the salaries of several officers, and for other purposes therein mentioned;" which was read, and was ordered for consideration to-morrow.

Mr. DeTreville presented the report of the Committee on the Constitution on a resolution of inquiry as to the expediency of suspending the twenty-ninth section of the first Article of the Constitution of this State, which was ordered for consideration to-morrow.

Mr. J. P. Richardson offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That it be referred to the Committee on the Military to report whether any legislation be needed in the Surgeon General's Department of the State.

Mr. DeTreville presented the report of the Committee on the Military, on a resolution of inquiry as to the liability of aliens to perform militia duty, which was ordered for consideration to-morrow, and to be printed.

Pursuant to notice, and by leave of the Convention, Mr. Magrath introduced an Ordinance to provide an armed military force for the defence of the State, and to establish the mode in which forces for the existing war shall be raised in this State; which was read, and was referred to the Committee on the Military.

### SPECIAL ORDER.

On motion of Mr. Barnwell, the Convention proceeded to the consideration of an Ordinance to provide for the removal of negroes and other property from portions of this State which may be invaded by the enemy; which had been made the special order of the day for this day, at half past twelve o'clock, P. M.

The Ordinance was read.

On motion of Mr. Barnwell, the blank in the first section was filled with the number *fifteen*.

On motion of Mr. Harlee, the word "department" in the first section was stricken out, and the word "district" inserted in lieu thereof.

On motion of Mr. Fair, after the word "State," the words "as now defined by the commanding General of the Confederate forces," were inserted.

Pending the consideration of the Ordinance, on motion of Mr. Orr, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. DeSaussure, leave of absence was granted to Mr. Maxey Gregg, on account of military duty.

On motion of Mr. Simpson, the doors were opened.

On motion of Mr. Orr, the Convention was adjourned at twenty minutes past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## THURSDAY, JANUARY 2, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. John J. Wannamaker.

The Clerk called the roll, and the following delegates answered to their names :

Messrs. Allison,	Messrs. Carroll,
Appleby,	Caughman,
Atkinson,	Cauthen,
Ayer,	Charles,
Barnwell,	Chesnut,
Barron,	Clarke,
Barton,	Crawford,
Bethea,	Curtis,
Bobo,	Darby,
Boswell,	Davant,
Brabham,	DeSaussure,
Brown, A. H.	DeTreville,
Brown, C. P.	Duncan,
Cain,	Dunkin,
Caldwell,	DuPre,
Calhoun,	English,
Campbell,	Evans,
Carlisle,	Fair,

## Messrs. Finley,

Flud,  
Forster,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Haybe,  
Henderson,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Kershaw,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,

## Messrs. Means,

Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Nowell,  
O'Hear,  
Palmer,  
Preston,  
Quattlebaum,  
Reed,  
Rhodes,  
Richardson, F. D.  
Robinson,  
Rowell,  
Scott,  
Seabrook, E. M.  
Seabrook, G. W.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simpson,  
Sims,  
Smith, J. J. P.  
Smyly,  
Snowden,  
Spratt,  
Springs,  
Stokes,  
Timmons,  
Tompkins,  
Wannamaker,  
Wardlaw,  
Whitner,  
Wier,  
Williams,  
Wilson, I. D.  
Wilson, J. H.  
Woods,  
Young.

The journal of yesterday's proceedings was read.

Mr. C. P. Sullivan, Delegate from Laurens, elected to fill the vacancy occasioned by the death of Mr. W. D. Watts, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

On motion of Mr. Keitt, leave of absence was granted to Mr. Orr, on account of military duty.

On motion of Mr. Keitt, leave of absence was granted to Mr. R. G. M. Dunovant, on account of military duty..

On motion of Mr. Quattlebaum, leave of absence was granted to Mr. Caughman, for this day, on account of military duty.

Mr. J. J. P. Smith offered the following resolutions, which were considered immediately, and were agreed to :

*Whereas*, It is both agreeable and becoming, that this Convention of the People of South Carolina express its sense of obligation for, and its high appreciation of, the ready assistance furnished by our sister State of Georgia to the forces on Hilton Head, on the occasion of the late engagement :

*Therefore, Resolved unanimously*, That this Convention recognizes in the prompt response made by the gallant sons of Georgia to the call for aid to meet the late attack on Port Royal, additional evidence of that cordial sympathy and coöperation with which, from the beginning of this struggle, they have cheered and supported us.

*Resolved*, That this Convention hereby tenders to the people of Georgia, in behalf of the people of South Carolina, their warm acknowledgments, and the assurances of fraternal union and affection.

*Resolved*, That the President of this Convention be requested to transmit a copy of these resolutions to his Excellency the Governor of Georgia, and to Brigadier General A. R. Lawton.

On motion of Mr. Harllee, the Convention went into

#### SECRET SESSION.

Mr. A. H. Brown, from the Special Committee No. 4, made a report, and reported an Ordinance further to provide for the harbor and coast defences of the State, which was read, and was ordered for consideration to-morrow, and to be printed.

#### GENERAL ORDERS.

The report of the Committee on the Military, on a resolution of



inquiry, as to increasing the powers of the Adjutant General, was, on motion of Mr. Harlee, recommitted to the Committee.

Mr. Harlee presented the report of the Committee on the Military, on a resolution of inquiry, as to increasing the powers of the Adjutant and Inspector General, which was considered immediately, and was agreed to, and the injunction of secrecy removed.

Mr. Hancel offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That an Act of the General Assembly of this State, entitled an Act to provide more efficient police regulations for the Districts of the seaboard, passed on the 21st December, 1861, be referred to Special Committee No. 1, to inquire and report what additions to or amendments of the same may be expedient.

Mr. Campbell offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Military Committee to inquire as to the measures necessary to be adopted for the proper arming and equipping of the organizations of Light Artillery, raised in this State, and should any action on the part of this Convention be, in their judgment, important, that they report by Ordinance or otherwise.

Mr. Quattlebaum offered the following resolution, which was considered immediately, and was agreed to :

*Whereas*, Certain printed documents ordered to be distributed for the use of the Convention in secret session, have, by some remissness or inadvertence on the part of certain members, fallen into the hands of the Chairman of the Committee on Printing :

*Be it Resolved*, That the Chairman of the Committee on Printing be authorized to return to their rightful owners such documents as have fallen into his hands, upon proper application being made to him.

#### SPECIAL ORDER.

On motion of Mr. Barnwell, the Convention resumed the consideration of an Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy.

The Ordinance was read, and the question being put, will the Convention agree to the Ordinance? it passed in the affirmative.

Yeas, 108; nays, 13.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs.		Messrs.	
Appleby,		Gist,	
Atkinson,		Glover,	
Ayer,		Goodwin,	
Barnwell,		Gourdin, R. N.	
Barron,		Gourdin, T. L.	
Barton,		Green,	
Bethea,		Gregg, William	
Brabham,		Grisham,	
Brown, A. H.		Hammond,	
Cain,		Hanckel,	
Caldwell,		Harrison,	
Carlisle,		Hayne,	
Carroll,		Henderson,	
Cauthen,		Hunter,	
Charles,		Hutson,	
Chesnut,		Inglis,	
Clarke,		Ingram,	
Crawford,		Jackson,	
Curtis,		Jefferies,	
Darby,		Johnson,	
Davant,		Lawton,	
DeSaussure,		Lewis,	
DeTreville,		Logan,	
Duncan,		McCady,	
Dunkin,		McKee,	
DuPre,		McLeod,	
English,		Magrath,	
Fair,		Manigault,	
Finley,		Manning,	
Flud,		Mauldin,	
Furman,		Maxwell,	
Garlington,		Mayes,	
Geiger,		Mazyck,	

Messrs. Means,	Messrs. Shingler, W. P.
Middleton, J. I.	Sims,
Middleton, Williams	Snowden,
Moore,	Spratt,
Moorman,	Springs,
Palmer,	Stokes,
Pope,	Sullivan,
Preston,	Thompson, R. A.
Quattlebaum,	Timmons,
Rainey,	Tompkins,
Reed,	Townsend,
Rhodes,	Wannamaker,
Richardson, F. D.	Wardlaw,
Richardson, J. P.	Whitner,
Robinson,	Wier,
Rowell,	Williams,
Scott,	Wilson, I. D.
Seabrook, E. M.	Wilson, J. H.
Seabrook, G. W.	Woods,
Sessions,	Young.
Shingler, J. M.	

Those who voted in the negative, are

Messrs. Allison,	Messrs. Harlee,
Bobo,	Nowell,
Boswell,	O'Hear,
Brown, C. P.	Simpson,
Calhoun,	Smith, J. J. P.
Evans,	Wilson, W. B.
Forster,	

The Ordinance was ordered to be engrossed, and to be signed by the President and the Clerk.

An Ordinance to exempt overseers from militia duty was read, was ordered to be engrossed, and to be signed by the President and the Clerk.

On motion of Mr. A. H. Brown, the doors were opened.

Mr. Pope offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee on the Constitution to inquire and report an Ordinance to provide for the representation of the Electoral District of St. Helena, now occupied by the enemy; and also to make such general provisions as may be necessary for such other Electoral Districts or portions of Districts as may fall into his possession before the next meeting of the Legislature.

On motion of Mr. Harlee, leave of absence was granted to Mr. Logan, on account of military and official duties.

On motion of Mr. Hutson, leave of absence was granted to Mr. Scott, on account of military duty.

On motion of Mr. Calhoun, business was suspended at four o'clock, P. M., until seven o'clock, P. M.

### RECESS.

The President resumed the chair.

On motion of Mr. Ayer, leave of absence was granted to Mr. Lawton, on account of military duty.

On motion of Mr. Jefferies, leave of absence was granted to Mr. Gadberry, on account of military duty.

On motion of Mr. E. M. Seabrook, leave of absence was granted to Mr. Davant, on account of sickness in his family.

On motion of Mr. J. I. Middleton, leave of absence was granted to Mr. Williams Middleton, on account of military duty.

On motion of Mr. Spratt, leave of absence was granted to Mr. Hanckel, on account of military engagements.

On motion of Mr. Bobo, leave of absence was granted to Mr. Landrum, on account of military duty.

On motion of Mr. Bobo, leave of absence was granted to Mr. Kilgore, on account of military duty.

On motion of Mr. Wardlaw, the Convention went into

### SECRET SESSION.

### SPECIAL ORDER.

On motion of Mr. Wardlaw, the Convention proceeded to the consideration of an Ordinance for strengthening the Executive Department during the exigencies of the present war; which had been made the special order of the day for this day.

Mr. Reed moved to strike out the first section of the Ordinance, and,

pending the consideration thereof, on motion of Mr. Hayne, the debate was adjourned till to-morrow, at eleven o'clock, A. M.

On motion of Mr. Wardlaw, the doors were opened.

On motion of Mr. Harlee, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet to-morrow at eleven o'clock, A. M.

On motion of Mr. Fair, the Convention was adjourned at fifty minutes past nine o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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FRIDAY, JANUARY 3, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. D. P. Robinson.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Appleby,

Atkinson,

Ayer,

Barron,

Barton,

Bethea,

Bobo,

Boswell,

Brabham,

Brown, A. H.

Brown, C. P.

Cain,

Caldwell,

Calhoun,

Campbell,

Carlisle,

Messrs. Carroll,

Caughman,

Cauthen,

Charles,

Clarke,

Crawford,

DeSaussure,

Dunovant, A. Q.

DuPre,

English,

Evans,

Fair,

Finley,

Flud,

Forster,

Furman,

Garlington,



Messrs. Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Harrison,  
Hayne,  
Henderson,  
Hopkins,  
Hunter,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Lewis,  
McKee,  
McLeod,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Middleton, John Izard  
Moore,  
Moorman,  
Nowell,  
O'Hear,  
Palmer,  
Parker,

Messrs. Perrin,  
Porcher,  
Preston,  
Quattlebaum,  
Rainey,  
Reed,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Seabrook, E. M.  
Seabrook, G. W.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Sims,  
Smith, J. J. P.  
Smyly,  
Snowden,  
Spratt,  
Springs,  
Stokes,  
Sullivan,  
Timmons,  
Tompkins,  
Townsend,  
Wardlaw,  
Wier,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Woods,  
Young.

The journal of yesterday's proceedings was read.

On motion of Mr. Reed, leave of absence was granted to Mr. R. A. Thompson, on account of military duty.

On motion of Mr. Quattlebaum, Messrs Cauthen and Crawford were added to the Committee on Printing.

On motion of Mr. Fair, the Convention went into

#### SECRET SESSION.

Mr. Fair, from the Committee on Engrossed Ordinances, made the following report :

The Committee on Engrossed Ordinances beg leave respectfully to report, that the following Ordinances referred to them have been duly engrossed, and have been ratified by the signature of the President, and the attestation of the Clerk, to wit :

An Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy ;

An Ordinance to exempt overseers from the performance of militia duty.

Mr. Harlee presented the report of the Committee on the Military, on a resolution authorizing officers to use force to compel persons to arm in defence of the State ; which was considered immediately, and was agreed to, and the injunction of secrecy removed.

Mr. Harlee, from the Committee on the Military, made reports

On a resolution in relation to the Surgeon General's Department ;

On a resolution in relation to organizing and equipping artillery companies ; and

On a resolution of inquiry in relation to the public arms ; which were severally ordered for consideration to-morrow.

Mr. Gist offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Delegates from the several Districts in which commissions are to be raised, report to this Convention in secret session, to-morrow, the names of suitable persons for such commissions.

#### SPECIAL ORDER.

On motion of Mr. Hayne, the Convention resumed the consideration of an Ordinance for strengthening the Executive Department during the exigencies of the present war.

The Convention resumed the consideration of Mr. Reed's motion, to

strike out the first section of the Ordinance; and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 30; nays, 92.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Appleby,	Messrs. Moore,
Ayer,	Quattlebaum,
Bethea,	Reed,
Boswell,	Rowell,
Callhoun,	Seabrook, E. M.
Caughman,	Sessions,
Cauthen,	Shingler, W. P.
Charles,	Sims,
Crawford,	Smyly,
Evans,	Spratt,
Geiger,	Stokes,
Grisbam,	Sullivan,
Harllee,	Timmons,
Hopkins,	Wilson, I. D.
Middleton, John Izard	Woods.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,	Messrs. Curtis,
Atkinson,	Darby,
Barnwell,	DeSaussure,
Barron,	DeTreville,
Barton,	Duncan,
Bobo,	Dunkin,
Brabham,	Dunovant, A. Q.
Brown, A. H.	DuPre,
Brown, C. P.	English,
Cain,	Fair,
Caldwell,	Finley,
Campbell,	Flud,
Carlisle,	Forster,
Carroll,	Furman,
Chesnut,	Garlington,
Clarke,	Gist,

Messrs. Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Hammond,  
Harrison,  
Hayne,  
Henderson,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Kershaw,  
Lewis,  
McCrady,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,

Messrs. Moorman,  
Nowell,  
O'Hear,  
Palmer,  
Parker,  
Perrin,  
Porcher,  
Preston,  
Rainey,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robinson,  
Seabrook, G. W.  
Shingler, J. M.  
Simons,  
Simpson,  
Smith, J. J. P.  
Snowden,  
Springs,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw,  
Whitner,  
Wier,  
Wilson, J. H.  
Wilson, W. B.  
Young.

So the motion was not agreed to.

Mr. Magrath offered the following amendment:

#### AN ORDINANCE

To strengthen the Executive Department, during the exigencies of the present war.

*We, the People of the State of South Carolina, in Convention as-*

*sembled, do declare and ordain, and it is hereby declared and ordained as follows:*

1. That until the present war shall have terminated, and the forces raised in this State for the prosecution thereof shall be disbanded; or until it shall be otherwise ordained by the People in Convention, the Governor of the State shall be assisted in the discharge of the duties and the exercise of the powers now imposed upon or enjoyed by him, under the Constitution and laws of this State, by the Lieutenant Governor of this State, and three citizens of this State, who shall be called the Executive Council, and shall be elected by this Convention. And that the exercise of the extraordinary powers hereinafter given, shall be committed to the Governor, Lieutenant Governor and the said Council jointly. And of these a majority must concur in the opinion of an existing necessity for the exercise of any such power before such exercise of it shall be authorized by this Ordinance.

2. That to one of the said Council shall be committed the management, direction and control of everything in this State which relates to the finances of this State. To another of the said Council shall be committed the management, direction and control of all that relates to the militia, and the forces of this State in the service of the Confederate States; their organization, discipline and equipment. And to the third member of the Council shall be committed the management, direction and control of all matters that relate to the internal police of the State, questions of patrol, the government of negroes, as connected with the maintenance of internal peace and the welfare of the State.

3. That each member of the Council thus constituted the head of these several Departments, shall organize it for the efficient transaction of its business; and shall keep the Governor constantly advised of the condition of the business of such Department. All orders made by the head of each Department shall be signed by him, after it has been approved by the Governor.

4. Each member of the Council, as the head of a Department, shall keep an accurate account of all business done in his Department in suitable books of permanent form. And at any meeting of this Convention or of the General Assembly, a report of its transactions shall be made through the Governor.

5. Each member of the Council shall receive an annual salary of \$———, payable quarterly; and shall be allowed to employ a clerk, at an annual salary not exceeding \$———, payable quarterly. And such salaries, and the necessary expenses for providing books



and furniture for each Department, shall be paid by the Treasury of the State, upon the draft or order of the member of the Council in charge of the finances of the State, countersigned by the Governor.

6. The Council shall keep an accurate record of all its consultations and proceedings. And any member thereof shall have the privilege of filing, and thereby preserving as a part of its record, his dissent from its proposed action in any case.

7. It shall be the duty of the Lieutenant Governor to take the place of the Governor whenever he may be unable to attend the consultations of the Council, and under the same circumstances to discharge all the duties, and exercise all the powers, which belong to the Governor. And he shall be entitled, during the continuance of the Council, to the same compensation as is allowed to a member of the Council.

8. Vacancies in the Council shall be filled by the Governor, with the concurrence of the Council. And the citizen of this State, so appointed, shall discharge the duties and exercise the powers of a member of the Council until his nomination shall have been reported to, and confirmed or rejected by, this Convention or the Senate of the State. And such appointment shall be reported to either of these bodies which may be in session at the time of, or, first after such appointment.

9. During the invasion of this State, and if neither the General Assembly of this State or this Convention shall be in session, and the emergencies of the case shall require it, the Governor and the Executive Council shall be, and are hereby, authorized to exercise any power, which rightfully belongs to, and could be exercised by, this Convention. But the exercise of such power shall not be continued longer than the emergency which calls for its interposition.

On motion of Mr. Wardlaw, the amendment was ordered to be printed.

On motion of Mr. Harllee, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Harllee, the Convention was adjourned at twenty-five minutes past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## SATURDAY, JANUARY 4, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. B. F. Mauldin.

The Clerk called the roll, and the following delegates answered to their names :

## Messrs. Allison,

Atkinson,  
Barnwell,  
Barron,  
Barton,  
Bellinger,  
Bethea,  
Bobo,  
Boswell,  
Brown, A. H.  
Brown, C. P.  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carlisle,  
Carroll,  
Caughman,  
Cauthen,  
Clarke,  
Crawford,  
Curtis,  
Darby,  
DeSaussure,  
Dunkin,  
Dunovant, A. Q.  
DuPre,  
Evans,  
Fair,  
Finley,  
Flud,

## Messrs. Forster,

Furman,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Harlee,  
Harrison,  
Henderson,  
Hopkins,  
Hunter,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Johnson,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyek,  
Means,

Messrs. Middleton, John Izard	Messrs. Sessions,
Moore,	Shingler, J. M.
Moorman,	Shingler, W. P.
Nowell,	Simons,
O'Hear,	Sims,
Palmer,	Smith, J. J. P.
Parker,	Smyly,
Perrin,	Snowden,
Porcher,	Springs,
Quattlebaum,	Stokes,
Rainey,	Sullivan,
Reed,	Tompkins,
Rhett,	Wannamaker,
Rhodes,	Wardlaw,
Richardson, F. D.	Wier,
Richardson, J. P.	Wilson, I. D.
Robinson,	Wilson, J. H.
Rowell,	Wilson, W. B.
Seabrook, E. M.	Woods,
Seabrook, G. W.	Young.

The journal of yesterday's proceedings was read.

On motion of Mr. Young, leave of absence was granted to Mr. Williams, on account of indisposition.

On motion of Mr. DeSaussure, leave of absence was granted to Mr. Means, on account of military duty.

On motion of Mr. Springs, leave of absence was granted to Mr. W. B. Wilson, on account of military duty.

On motion of Mr. Barnwell, the Convention went into

#### SECRET SESSION.

Mr. A. H. Brown offered the following resolution, which was considered immediately, and was referred to Special Committee No. 1 :

*Resolved*, That any person or persons willing immediately, or in anticipation of the order of the commission, to remove their negroes and necessary provisions for their support under the terms of an Ordinance entitled " An Ordinance to provide for the removal of negroes and other property from portions of the State that may be invaded by the enemy," be and the same are hereby entitled to receive all such aid, on

application to the commission, as is prescribed by said Ordinance to be afforded to those who remove on notice; and the commission is hereby directed to afford the said aid, so far as the same may be expedient or practicable; and further, that all means of transportation shall be afforded by corporations and private ferries under the terms of said Ordinance.

Mr. Wardlaw, from the Committee on the Constitution, made a report, and reported an Ordinance to enable citizens of this State who are engaged in military service to exercise the right of suffrage; which was read, was ordered to be printed, and was made the special order of the day for Monday next, at eleven o'clock, A. M.

Mr. Wardlaw, from the Committee on the Constitution, made a report, and reported an Ordinance to provide for holding elections for Districts occupied or threatened by the enemy, which was read, was ordered to be printed, and was made the special order of the day for Monday next, at twelve o'clock, M.

Mr. Simons offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That it be referred to the Committee on the Military to inquire and report upon the propriety of forthwith organizing from the volunteer corps of the City of Charleston, attached to the 4th Brigade, their quota of volunteers or drafted men for the military service of this State and the Confederate States.

Mr. Harlee, from the Committee on the Military, made reports

On the communication of his Excellency the Governor, and accompanying documents;

On a resolution of inquiry as to the organization of certain portions of the militia;

On a resolution of inquiry respecting the appointment of officers in cases of draft;

On an Ordinance to provide an armed force for the defence of the State; which were severally ordered for consideration on Monday next.

Mr. Harlee, from the Committee on the Military, made a report, and reported an Ordinance in relation to a portion of the militia; which was read, and was ordered for consideration on Monday next.

The delegation from the Districts of Charleston, Georgetown, Beaufort, Colleton and Horry, respectively, made reports, recommending the following persons to compose the Commissions for those Districts



respectively, under an Ordinance entitled an Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy :

*For Charleston District*—Messrs. Alexander Mazyek, A. H. Brown and Henry M. Manigault.

*For Georgetown District*—Messrs. Francis S. Parker, Robert F. W. Allston and Ralph Izard Middleton.

*For Beaufort District*—Messrs. Langdon Cheves, William Howard and Williams Middleton.

*For Colleton District*—Messrs. Charles T. Lowndes, James Harlee and Morton Clement.

*For Horry District*—Messrs. Charles Alston, Jr., William J. Graham and Francis J. Sessions.

Whereupon Mr. Dunkin offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the persons recommended for the commissions for the Districts of Charleston, Georgetown, Horry, Beaufort and Colleton, be, and they are hereby, declared to be duly elected.

#### SPECIAL ORDER.

On motion of Mr. Magrath, the Convention resumed the consideration of an Ordinance for strengthening the Executive Department during the exigencies of the present war, which had been made the special order of the day for this day.

Mr. Magrath moved that the Ordinance reported by the Committee be ordered to lie on the table, which motion was agreed to.

Mr. Magrath introduced the following Ordinance :

#### AN ORDINANCE

To strengthen the Executive Department, during the exigencies of the present war.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, as follows :*

SEC. 1. That until the present war shall have terminated, and the forces raised in this State for the prosecution thereof shall be disbanded, or until it shall be otherwise ordained by the People in Convention, the



Governor of the State shall be assisted in the discharge of the duties and the exercise of the powers now imposed upon or enjoyed by him under the Constitution and laws of this State, by the Lieutenant Governor of this State and three citizens of this State, who shall be called the Executive Council, and shall be elected by this Convention.

SEC. 2. That to one of the said Council shall be committed the management, direction and control of every thing in this State which relates to the finances of this State. To another of the said Council shall be committed the management, direction and control of all that relates to the militia, and the forces of this State in the service of the Confederate States, their organization, discipline and equipment. And to the third member of the Council shall be committed the management, direction and control of all matters that relate to the internal police of the State; questions of patrol; the government of negroes, as connected with the maintenance of internal peace and the welfare of the State.

SEC. 3. That each member of the Council, thus constituted the head of these several departments, shall organize it for the efficient transaction of its business, and shall keep the Governor constantly advised of the condition of the business of such department. All orders made by the head of each department shall be signed by him, after it has been approved by the Governor.

SEC. 4. Each member of the Council, as the head of a department, shall keep an accurate account of all business done in his department, in suitable books of permanent form. And at any meeting of this Convention or of the General Assembly, a report of its transactions shall be made, through the Governor.

SEC. 5. Each member of the Council shall receive an annual salary of \$———, payable quarterly; and shall be allowed to employ a clerk, at an annual salary not exceeding \$———, payable quarterly. And such salaries, and the necessary expenses for providing books and furniture for each department, shall be paid by the Treasury of the State, upon the draft or order of the member of the Council in charge of the finances of the State, countersigned by the Governor.

SEC. 6. The Council shall keep an accurate record of all its consultations and proceedings. And any member thereof shall have the privilege of filing, and thereby preserving, as a part of its record, his dissent from its proposed action in any case.

SEC. 7. It shall be the duty of the Lieutenant Governor to take the place of the Governor whenever he may be unable to attend the con-

sultation of the Council; and, under the same circumstances, to discharge all the duties, and exercise all the powers, which belong to the Governor. And he shall be entitled, during the continuance of the Council, to the same compensation as is allowed to a member of the Council.

SEC. 8. Vacancies in the Council shall be filled by the Governor, with the concurrence of the Council. And the citizen of this State so appointed, shall discharge the duties and exercise the powers of a member of the Council, until his nomination shall have been reported to, and confirmed or rejected by, this Convention or the Senate of the State. And such appointment shall be reported to either of these bodies which may be in session at the time of, or first after such appointment.

SEC. 9. During the invasion of this State, and if neither the General Assembly of this State, or this Convention shall be in session, and the exigencies of the case shall require it, the Governor and the Executive Council shall be and are hereby authorized to exercise any power, which rightfully belongs to and could be exercised by this Convention. But the exercise of such power shall not be continued longer than the emergency which calls for its interposition.

Mr. Hayne moved to strike out the first section of the Ordinance offered by Mr. Magrath, and insert the first section of the Ordinance reported by the Committee, and, pending the consideration thereof, on motion of Mr. Bobo, the doors were opened.

On motion, leave of absence was granted to Mr. Hutson, on account of the proximity of the enemy to his residence.

On motion of Mr. Carroll, leave of absence was granted to Mr. Noble, on account of military duty.

On motion of Mr. Chesnut, leave of absence was granted to Mr. Kershaw, on account of military duty.

On motion of Mr. Simpson, leave of absence was granted to Mr. Whitner, on account of indisposition.

On motion of Mr. A. H. Brown, the Convention was adjourned at fifteen minutes past four o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

MONDAY, JANUARY 6, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Appleby,

Atkinson,

Ayer,

Barron,

Barton,

Bethea,

Bobo,

Boswell,

Brabham,

Brown, A. H.

Caldwell,

Calhoun,

Campbell,

Carlisle,

Caughman,

Cauthen,

Chesnut,

Crawford,

Curtis,

Davis,

Dunkin,

Dunovant, A. Q.

Dulfe,

Evans,

Fair,

Finley,

Flud,

Furman,

Garlington,

Geiger,

Messrs. Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Green,

Grisham,

Harlee,

Harrison,

Hayne,

Henderson,

Hunter,

Hutson,

Jackson,

Jefferies,

Lewis,

McLeod,

Magrath,

Manigault,

Mauldin,

Maxwell,

Mayes,

Mazyek,

Middleton, John Izard

Moore,

Moorman,

Nowell,

O'Hear,

Parker,

Perrin,

Porcher,

Messrs. Preston,  
Quattlebaum,  
Reed,  
Rhodes,  
Richardson, F. D.  
Rowell,  
Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Sinious,  
Simpson,  
Sims,

Messrs. Smith, J. J. P.  
Springs,  
Stokes,  
Sullivan,  
Tompkins,  
Wardlaw,  
Wier,  
Wilson, I. D.  
Wilson, J. H.  
Woods,  
Young.

The journal of Saturday's proceedings was read.

Mr. Allison offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, That the President of the Convention is authorized and directed to issue his warrants upon the Treasury, in the usual form, for the payment of all sums of money allowed by the Convention.

*Resolved*, That the same compensation be allowed the members of this Convention, during its present sitting, as members of the Legislature receive, and that the President of the Convention issue certificates or warrants, therefor, in the usual form.

*Resolved*, That the Clerk, Messenger, Doorkeeper, Engrossing Clerks and Solicitor of the Convention, receive, severally, as compensation for their services during the present sitting thereof, the same rate of payment, in proportion to the time they serve, as is allowed the same officers of the House of Representatives of this State.

*Resolved*, That the President of the Convention is authorized and directed to draw his warrant upon the Treasury for whatever sum may be reported to him by the Clerk as due for stationery and any expenses incidental to his office, not otherwise directed to be paid by the Convention.

Mr. Quattlebaum presented the account of the Marion Star, for advertising; which was referred to the Committee on Accounts.

On motion of Mr. Chesnut, the communication of Mr. Withers, resigning his seat as a member of the Convention, was taken up from the table, and, on motion of Mr. Chesnut, the resignation was accepted.



Mr. Sullivan introduced an Ordinance to afford pecuniary relief to the people of this State, and, pending the consideration thereof, on motion of Mr. Moorman, the Convention went into

### SECRET SESSION.

An Ordinance (introduced by Mr. Sullivan, in open session) to afford pecuniary relief to the people of this State, was read, was ordered for consideration to-morrow, and to be printed.

Mr. Barnwell presented a verbal report from Special Committee No. 1, on resolutions offered by Mr. A. H. Brown, recommending that they be adopted, which report was considered immediately, and was agreed to.

### SPECIAL ORDER.

On motion of Mr. Barnwell, the Convention resumed the consideration of an Ordinance for strengthening the Executive Department during the exigencies of the present war, which had been made the special order of the day for this day.

Mr. Moore moved that the Ordinance, together with the amendments thereto, be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 30; nays, 83.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Allison,

Appleby,

Ayer,

Barron,

Bethea,

Bobo,

Boswell,

Calhoun,

Caughman,

Cauthen,

Crawford,

Evans,

Geiger,

Grisham,

Hammond,

Messrs. Harlee,

Hunter,

Lewis,

Maxwell,

Middleton, J. Izard

Moore,

Quattlebaum,

Rainey,

Rowell,

Sessions,

Smyly,

Spratt,

Stokes,

Sullivan,

Woods.



Those who voted in the negative, are

Hon. D. F. JAMISON, President, and

Messrs. Atkinson,

Barnwell,

Barton,

Bellinger,

Brabham,

Brown, A. H.

Brown, C. P.

Cain,

Caldwell,

Campbell,

Carlisle,

Carroll,

Charles,

Chesnut,

Clarke,

Curtis,

Darby,

Davis,

DeSaussure,

DeTreville,

Duncan,

Dunkin,

Dunovant, A. Q.

DuPre,

Fair,

Finley,

Flud,

Forster,

Furman,

Garlington,

Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Green,

Harrison,

Messrs. Hayne,

Henderson,

Hutson,

Inglis,

Jackson,

Jefferies,

Keitt,

McCrary,

McLeod,

Magrath,

Manigault,

Manning,

Mauldin,

Mayes,

Mazyck,

Moorman,

Nowell,

O'Hear,

Palmer,

Parker,

Perrin,

Porcher,

Preston,

Reed,

Rhett,

Rhodes,

Richardson, F. D.

Richardson, J. P.

Robinson,

Seabrook, E. M.

Seabrook, G. W.

Shingler, J. M.

Simons,

Simpson,

Sims,

Smith, J. J. P.

Snowden,

Messrs. Springs,  
Tompkins,  
T wnsend,  
Wardlaw,

Messrs. Wier,  
Wilson, I. D.  
Wilson, J. H.  
Young.

So the motion was not agreed to.

On motion of Mr. Barnwell, the Ordinance, together with the amendments thereto, was recommitted to the Committee.

Mr. Barnwell offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That four members be added to the Special Committee No. 5.

Whereupon, the President announced that the following gentlemen are added to Special Committee No. 5 :

Messrs. A. G. Magrath, R. B. Rhett, I. W. Hayne and L. W. Spratt.

On motion of Mr. Barnwell, the injunction of secrecy was removed from an Ordinance to exempt overseers from the performance of militia duty.

Mr. Barnwell offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the injunction of secrecy be removed in relation to the Ordinance providing for the removal of slaves, and the resolution amendatory thereof, in so far as to permit the communication of a certified copy of the Ordinance to each of the Commissioners, with leave to make known so much of the Ordinance as may be necessary to the several parties interested therein, to the commanding General of the Confederate forces, and to the commanding officer of each District ; and that the President be instructed to notify the Commissioners of their election.

The President laid before the Convention the following communication, which, on motion, was referred to the Committee on the Military :

COLUMBIA, S. C., January 6, 1862.

GENERAL JAMISON,

*President State Convention :*

DEAR SIR : We are employed in the manufacture of cotton and

woollen goods, and clothing for the State, on quite a large scale, and find our operations likely to be stopped by the call on our employees for the service of the State. Believing that our stoppage would be a source of serious inconvenience and injury, not only to the troops needing uniforms, but also to the people of the State at large, we are induced to apply to the Convention through you, to have our present operatives excused from military duty. We have now nearly one thousand persons employed, and among them not more than forty men, only about one half of whom are liable to duty—these we wish to get excused. Our ordinary complement of men is from eighty to one hundred. We are already reduced more than one-half, and those we have left are principally overseers and foremen—men of experience, whom we could not replace, and whose services are indispensable to us.

Respectfully, &c.,

JAMES G. GIBBES & CO.

Mr. Reed offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Committee to whom has been recommitted the matters touching the Executive Department, have leave to print their report, and that it be made the special order for to-morrow, at eleven o'clock, A. M.

James H. Discker, one of the printers of the Convention, attended at the Clerk's desk, and the oath of secrecy was administered to him by the President.

#### SPECIAL ORDER.

On motion of Mr. Wardlaw, the Convention proceeded to the consideration of an Ordinance to enable citizens of this State who are engaged in military service, to exercise the right of suffrage, which had been made the special order of the day for this day, at eleven o'clock, A. M.

The Ordinance was read, was agreed to, and was ordered to be engrossed, and to be signed by the President and the Clerk, and the injunction of secrecy was removed.

#### SPECIAL ORDER.

On motion of Mr. Wardlaw, the Convention proceeded to the con-

sideration of an Ordinance to provide for holding elections for Districts occupied or threatened by the enemy, which had been made the special order of the day for this day, at twelve o'clock, M.

The Ordinance was read, was agreed to, was ordered to be engrossed, and to be signed by the President and the Clerk, and the injunction of secrecy was removed.

On motion of Mr. Reed, the Convention proceeded to the consideration of the

### GENERAL ORDERS.

The report of the Committee on the Constitution on a resolution of inquiry as to the offices of Comptroller General and Treasurers of the Upper and Lower Divisions, was taken up. Mr. Bobo moved that the report be ordered to lie on the table, which motion was not agreed to.

The report was agreed to, and the injunction of secrecy was removed.

An Ordinance to suspend in part the Act of the General Assembly of this State, ratified the —— day of ——, 1787, was read, was agreed to, and was ordered to be engrossed, and to be signed by the President and the Clerk, and the injunction of secrecy was removed.

The report of the Committee on the Constitution on a resolution of inquiry as to suspending the twenty-ninth section of the first Article of the Constitution, was agreed to.

The report of the Committee on the Military on a resolution of inquiry as to the liability of aliens to perform militia duty, was taken up.

On motion of Mr. Harlee, business was suspended at forty-five minutes past one o'clock, P. M., till seven o'clock, P. M.

### RECESS.

The President resumed the chair.

On motion of Mr. Mazyck, the further consideration of the report was indefinitely postponed.

The General Orders were suspended.

Mr. Harlee offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That the Governor do communicate to the President of the Confederate States, as the earnest request of this body, that additional troops and munitions of war should be sent for the defence of this State and its extended seaboard.



Mr. Mazyek offered the following resolution, which was considered immediately, and was referred to the Committee on the Military :

*Resolved*, That the Governor be, and he is hereby, authorized to continue, for one year, the commissions issued by him to the officers of volunteer companies formed in the Districts adjacent to the seacoast for local service, in pursuance of the resolution of the Convention, passed on the 8th day of April last.

Mr. Sullivan offered the following resolutions, which were considered immediately, and were referred to the Committee on Commercial Relations and Postal Arrangements :

*Resolved*, That in the opinion of this Convention, it would greatly facilitate the removal of the blockade of the ports of the Confederate States, to repeal or suspend, for at least five years, the operation of such Acts of Congress as impose duties on imports from neutral nations.

*Resolved, further*, That the foregoing resolution be forwarded by the Clerk of this Convention to our Senators and Representatives in Congress, and that they are hereby requested to use their best endeavors and influence in procuring the necessary enactments of Congress to carry the same into effect.

The Convention resumed the consideration of the

### GENERAL ORDERS.

On motion of Mr. A. H. Brown, an Ordinance further to provide for the Harbor and Coast defences of the State was ordered for consideration to-morrow.

The report of the Committee on the Military on a resolution of inquiry in relation to the Surgeon General's Department, was agreed to.

The report of the Committee on the Military on a resolution of inquiry as to organizing and equipping artillery companies, was agreed to.

The report of the Committee on the Military on a resolution of inquiry in respect to the public arms, was agreed to.

The report of the same Committee on the Governor's message and the accompanying documents, was agreed to.

The report of the same Committee as to organizing certain portions of the militia, was agreed to.

The report of the same Committee on a resolution of inquiry re-



specting the appointment of officers in cases of draft, was ordered to lie on the table.

The report of the same Committee on an Ordinance to provide an armed force for the defence of the State, was agreed to.

An Ordinance in relation to a portion of the militia, was ordered for consideration to-morrow.

Mr. Barnwell presented the report of the Special Committee No. 1, on an Act of the General Assembly, entitled an Act to provide more efficient police regulations for the Districts on the seaboard, which was considered immediately, and was agreed to.

### SPECIAL ORDER.

On motion of Mr. Reed, the Convention proceeded to the consideration of the report of the Special Committee No. 3, in relation to affording aid to the Confederate authorities, which had been made the special order of the day for this day, and on motion of Mr. Inglis, the special order was discharged, and was made the special order of the day for to-morrow, at twelve o'clock, M.

On motion of Mr. Inglis, the doors were opened.

On motion of Mr. Simons, the Convention was adjourned at twenty-five minutes past nine o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

### TUESDAY, JANUARY 7, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. T. R. English.

The Clerk called the roll, and the following Delegates answered to their names:

Messrs. Allison,  
Appleby,  
Atkinson,  
Ayer,

Messrs. Barron,  
Barton,  
Bethua,  
Bellinger,

Messrs. Bobo,  
• Boswell,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Carlisle,  
Carroll,  
Caughman,  
• Cauthen,  
Charles,  
Clarke,  
Crawford,  
Curtis,  
Davis,  
DeSaussure,  
Dunkin,  
DuPre,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Harrison,  
Henderson,  
Hopkins,

Messrs. Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Lewis,  
McCrary,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Mauldin,  
Maxwell,  
Mayes,  
Middleton, John Izard  
Moore,  
Moorman,  
Nowell,  
O'Hear,  
Parker,  
Perrin,  
• Quattlebaum,  
Reed,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Rowell,  
Seabrook, E. M.  
Seabrook, G. W.  
Sessions,  
Shingler, J. M.  
Simons,  
Simpson,  
Sims,  
Smith, J. J. P.  
Snowden,  
Spratt,  
Stokes,  
Timmons,

Messrs. Tompkins,  
Wannamaker,  
Wardlaw,  
Wier,

Messrs. Wilson, I. D.  
Wilson, J. H.  
Woods,  
Young.

The journal of yesterday's proceedings was read.

The President laid before the Convention the following communication :

FORT PICKENS, BATTERY ISLAND, January 4, 1862.

HON. D. F. JAMISON,

*President of the Convention :*

DEAR SIR : I am prevented, by military duties, from attending the present session of the Convention, and therefore ask to be excused.

Yours, very truly,

JOHN G. PRESSLEY,  
*Capt. P. A. C. S.*

On motion of Mr. Fair, leave of absence was granted to Mr. Pressley.

On motion of Mr. Furman, Mr. Lyles was excused from attending the present session of this Convention, on account of sickness.

Mr. Allison, from the Committee on Accounts, made reports,

On the account of Lewis Jones; and,

On the account of the editor of the Marion Star; which were considered immediately, and were agreed to.

Mr. Quattlebaum offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee on Engrossed Ordinances to inquire and report what resolutions and orders of the Convention, passed in secret session, and how much, and what portion, of the secret journal, may now be made public without impropriety.

On motion of Mr. Dunkin, leave of absence was granted to Mr. Forster, on account of sickness in his family.

On motion of Mr. J. J. P. Smith, the Convention went into

#### SECRET SESSION.

Mr. Harlee, from the Committee on the Military, made reports,  
On the communication from J. G. Gibbes & Co.; and

On a resolution, providing for continuing the commissions of officers in companies on the seacoast; which were severally ordered for consideration to-morrow.

Mr. Wardlaw, from the Special Committee No. 5, to whom had been recommitted the subject of strengthening the Executive Department, made a report, and reported an Ordinance for strengthening the Executive Department during the exigencies of the present war.

The Ordinance was read.

Mr. Spratt moved to strike out all after the ordaining words, and insert the following:

SEC. 1. That until the present war shall have terminated, and the forces raised in this State for the prosecution thereof shall be disbanded, or until it shall be otherwise ordained by the People in Convention, the Governor of the State shall be assisted in the discharge of the duties and the exercise of the powers now imposed upon or enjoyed by him under the Constitution and laws of this State, by the Lieutenant Governor of this State and three citizens of this State, who shall be called the Executive Council, and shall be elected by this Convention.

SEC. 2. That to one of the said Council shall be committed the management, direction and control of every thing in this State which relates to the finances of this State. To another of the said Council shall be committed the management, direction and control of all that relates to the militia, and the forces of this State in the service of the Confederate States, their organization, discipline and equipment. And to the third member of the Council shall be committed the management, direction and control of all matters that relate to the internal police of the State; questions of patrol; the government of negroes, as connected with the maintenance of internal peace and the welfare of the State.

SEC. 3. That each member of the Council, thus constituted the head of these several departments, shall organize it for the efficient transaction of its business, and shall keep the Governor constantly advised of the condition of the business of such department. All orders made by the head of each department shall be signed by him, after it has been approved by the Governor.

SEC. 4. Each member of the Council, as the head of a department, shall keep an accurate account of all business done in his department, in suitable books of permanent form. And at any meeting of this Convention or of the General Assembly, a report of its transactions shall be made, through the Governor.



SEC. 5. Each member of the Council shall receive an annual salary of \$———, payable quarterly; and shall be allowed to employ a clerk, at an annual salary not exceeding \$———, payable quarterly. And such salaries, and the necessary expenses for providing books and furniture for each department, shall be paid by the Treasury of the State, upon the draft or order of the member of the Council in charge of the finances of the State, countersigned by the Governor.

SEC. 6. The Council shall keep an accurate record of all its consultations and proceedings. And any member thereof shall have the privilege of filing, and thereby preserving, as a part of its record, his dissent from its proposed action in any case.

SEC. 7. It shall be the duty of the Lieutenant Governor to take the place of the Governor whenever he may be unable to attend the consultation of the Council; and, under the same circumstances, to discharge all the duties, and exercise all the powers, which belong to the Governor. And he shall be entitled, during the continuance of the Council, to the same compensation as is allowed to a member of the Council.

SEC. 8. Vacancies in the Council shall be filled by the Governor, with the concurrence of the Council. And the citizen of this State so appointed, shall discharge the duties and exercise the powers of a member of the Council, until his nomination shall have been reported to, and confirmed or rejected by, this Convention or the Senate of the State. And such appointment shall be reported to either of these bodies which may be in session at the time of, or first after such appointment.

Mr. Wardlaw moved that the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 89; nays, 28.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Atkinson,	Messrs. Brown, A. H.
Barnwell,	Brown, C. P.
Barton,	Cain,
Bellinger,	Caldwell,
Bobo,	Carlisle,



Messrs. Carroll,  
Chesnut,  
Clarke,  
Curtis,  
Darby,  
Davis,  
DeSaussure,  
Duncan,  
Dunkin,  
DuPre,  
English,  
Fair,  
Finley,  
Flud,  
Furman,  
Garlington,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Hammond,  
Harllee,  
Harrison,  
Hayne,  
Henderson,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Keitt,  
Kinsler,  
Lewis,  
McCrady,

Messrs. McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Mayes,  
Mazyck,  
Moorman,  
Nowell,  
O'Hear,  
Palmer,  
Parker,  
Perrin,  
Poreher,  
Preston,  
Quattlebaum,  
Rainey,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robinson,  
Seabrook, G. W.  
Shingler, J. M.  
Simpson,  
Simis,  
Smith, J. J. P.  
Snowden,  
Stokes,  
Timmons,  
Tompkins,  
Townsend,  
Waunamaker,  
Wardlaw,  
Wier,  
Wilson, I. D.  
Wilson, J. H.  
Young.

Those who voted in the negative, are

Messrs. Allison,	Messrs. Grisham,
Appleby,	Hopkins,
Ayer,	Maxwell,
Barron,	Middleton, John Izard
Bethea,	Moore,
Boswell,	Rowell,
Brabham,	Seabrook, E. M.
Calhoun,	Sessions,
Campbell,	Simons,
Cauthen,	Smyly,
Charles,	Spratt,
Crawford,	Springs,
Evans,	Sullivan,
Geiger,	Woods.

So the motion was agreed to.

Mr. Reed asked to record the vote he would have given if present, on the motion to lay on the table the amendment offered by Mr. Spratt, and Mr. Reed, being called, answered "no."

Mr. John Izard Middleton offered the following amendment, which, on motion of Mr. Manigault, was ordered to lie on the table :

*Provided*, That no member of this Convention shall be eligible as Councillor.

Mr. John Izard Middleton offered the following amendment, which, on motion of Mr. Inglis, was ordered to lie on the table :

*Provided*, That no person holding any office of honor, trust or emolument under this State, the Confederate States, or any of them, shall be eligible as member of the Council.

Mr. R. N. Gourdin moved to amend by striking out the third section of the Ordinance.

On motion of Mr. Magrath, the amendment was ordered to lie on the table.

Mr. Fair moved to strike out, in the third section of the Ordinance, the words "is authorized to," and insert the word "shall."

Mr. Reed moved that the amendment be ordered to lie on the table ;

and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 78; nays, 40.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs.		Messrs.	
Allison,		Hunter,	
Appleby,		Hutson,	
Atkinson,		Inglis,	
Ayer,		Jackson,	
Barnwell,		Keitt,	
Barron,		McCrary,	
Barton,		McKee,	
Bethea,		McLeod,	
Bobo,		Magrath,	
Boswell,		Mauldin,	
Brabham,		Middleton, John Izard	
Brown, A. H.		Moore,	
Campbell,		Palmer,	
Carlisle,		Parker,	
Carroll,		Perrin,	
Cauthen,		Quattlebaum,	
Clarke,		Rainey,	
Crawford,		Reed,	
Curtis,		Rhett,	
Darby,		Rhodes,	
Duncan,		Richardson, F. D.	
Dunkin,		Richardson, J. P.	
Dunovant, A. Q.		Robinson,	
Evans,		Rowell,	
Finley,		Seabrook, E. M.	
Garlington,		Sessions,	
Gist,		Simons,	
Glover,		Simpson,	
Goodwin,		Sims,	
Grisham,		Smith, J. J. P.	
Hammond,		Smyly,	
Harrison,		Spratt,	
Hayne,		Springs,	
Henderson,		Sullivan,	

Messrs. Timmons,  
Tompkins,  
Wannamaker,  
Wardlaw,  
Wier,

Messrs. Wilson, I. D.  
Wilson, J. H.  
Woods,  
Young.

Those who voted in the negative, are

Messrs. Bellinger,  
Brown, C. P.  
Cain,  
Caldwell,  
Calhoun,  
Caughman,  
Chesnut,  
Davis,  
DeSaussure,  
DuPre,  
English,  
Fair,  
Flud,  
Furman,  
Geiger,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Harlee,

Messrs. Hopkins,  
Jefferies,  
Jenkins, John  
Kinard,  
Kinsler,  
Manigault,  
Manning,  
Maxwell,  
Mayes,  
Mazyek,  
Moorman,  
Nowell,  
O'Hear,  
Porcher,  
Preston,  
Shingler, J. M.  
Snowden,  
Spain,  
Stokes,  
Townsend.

So the motion was agreed to.

Mr. Sullivan moved to amend by striking out, in the fourth section, the words "and Council."

On motion of Mr. Hayne, the amendment was ordered to lie on the table.

The question being put, will the Convention agree to the Ordinance? it passed in the affirmative.

Yeas, 96; nays, 22.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,	Messrs. Green,
Atkinson,	Gregg, William
Barnwell,	Harrison,
Barron,	Hayne,
Barton,	Henderson,
Bellinger,	Hunter,
Bethca,	Hutson,
Bobo,	Inglis,
Brabham,	Ingram,
Brown, A. H.	Jackson,
Brown, C. P.	Jefferies,
Cain,	Jenkins, John
Caldwell,	Keitt,
Carlisle,	Kinsler,
Carroll,	Lewis,
Charles,	McCrary,
Chesnut,	McKee,
Clarke,	McLeod,
Curtis,	Magrath,
Darby,	Manigault,
Davis,	Manning,
DeSaussure,	Mauldin,
DeTreville,	Maxwell,
Duncan,	Mayes,
Dunkin,	Mazyck,
Dunovant, A. Q.	Moorman,
DuPre,	Nowell,
English,	O'Hear,
Evans,	Palmer,
Finley,	Parker,
Flud,	Pope,
Furman,	Porcher,
Garlington,	Preston,
Gist,	Rainey,
Glover,	Reed,
Goodwin,	Rhett,
Gourdin, R. N.	Rhodes,
Gourdin, T. L.	Richardson, F. D.



Messrs. Richardson, J. P.  
 Robinson,  
 Scabrook, G. W.  
 Shingler, J. M.  
 Simpson,  
 Smith, J. J. P.  
 Snowden,  
 Spain,  
 Springs,  
 Sullivan,

Messrs. Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Young.

Those who voted in the negative, are

Messrs. Appleby,  
 Ayer,  
 Boswell,  
 Calhoun,  
 Caughman,  
 Cauthen,  
 Crawford,  
 Fair,  
 Geiger,  
 Hammond,  
 Harllee,

Messrs. Hopkins,  
 Middleton, John Izard  
 Moore,  
 Rowell,  
 Scabrook, E. M.  
 Sessions,  
 Simons,  
 Smyly,  
 Spratt,  
 Stokes,  
 Woods.

So the Ordinance was agreed to; was committed to the Committee on Engrossed Ordinances, and the injunction of secrecy was removed.

Mr. Rhett offered the following resolution :

*Resolved*, That the Constitution of the State be suspended, so far as to permit any of the Judges or Chancellors who may be elected members of the Executive Council by this Convention to serve in said office.

Mr. Barnwell offered the following amendment, which was accepted by the mover of the resolution :

*Resolved*, That so much of the first section of the third Article of the Constitution of the State as prohibits Judges of the Superior Courts from holding any other office of profit or trust under the State, the Confederate States, or any other power, be, and the same is hereby, suspended during the present war.

The resolution was not agreed to.

Mr. Hayne, from the Special Committee No. 2, made the following report, which was read, was ordered to be printed, and was made the special order of the day for to-morrow, at eleven o'clock, A. M.:

The Special Committee No. 2, "charged with considering and reporting upon the proper action of the State, in case, at any time, further valuable portions of our territory should be pronounced untenable by the military authorities," respectfully report:

That they immediately, on their appointment, proceeded to consider the grave matter committed to their charge, and, after several consultations, concluded to withhold their report until the Convention should act on the reports of Special Committees Nos. 1 and 5. This Committee unanimously concur in the general line of policy indicated in the Ordinance, reported by Special Committee No. 1, and adopted by the Convention, and ask leave to report an Ordinance supplemental to the Ordinance entitled "An Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy." The Ordinance now reported is intended to extend the provisions of the original Ordinance to white inhabitants of Charleston, incapable of conducting their own removal, and to modify its provisions in reference to the removal of negroes from that city.

In regard to the city of Charleston, your Committee cannot believe that it will ever be pronounced untenable by the military authorities until the trial of strength and endurance has been tested to the uttermost. They recommend that it should be expressed, as the sense of the people of South Carolina assembled in Convention, that Charleston should be defended at any cost of life or property; and that, in their deliberate judgment, they would prefer a repulse of the enemy, with the entire city in ruins, to an evacuation or surrender, on any terms whatever. The Committee oppose altogether the idea of abandonment until both the defending army and the city are so far destroyed that no provision need be made for further action. If, however, the city should be abandoned to the enemy, contrary to the expressed wish of the people of the State, your Committee cannot bring themselves to recommend, as has been suggested by some, that the city should be destroyed by the hands of her own citizens, irrespective of the command of the military authorities. The Committee have deliberated with painful anxiety upon this matter, but while they highly approve a defence like that of Zaragossa, they cannot perceive, in the circum-

stances of Charleston, enough to commend to her citizens the example of Moscow. The Committee think the injury which might be inflicted in this way on the enemy, quite too inconsiderable to warrant a proceeding so very much more disastrous to ourselves. Indeed, the Committee are inclined to believe that the destruction of the city is precisely that which the enemy desire and design. The Committee believe that an indiscriminate burning of the city could not be effected without destroying the lives of a very large portion of the non-combatant inhabitants, whose removal could not be accomplished. Let the responsibility of so terrible a calamity rest upon the enemy. The Committee, accordingly, recommend that the Convention should express its disapproval of the suggestion of a voluntary burning of the city by the citizens. To the military authorities they have nothing to suggest on this point.

In view of the nature of the defence anticipated, the Committee think provision should be made for the removal from the city, of women and children, and others incapable of taking part in its defence. Upon this subject the Committee ask to report by Ordinance. The Committee recommend the adoption of the following resolution and the accompanying Ordinance :

*Resolved*, That the President of this Convention communicate, confidentially, to the Governor and Council, to the General commanding the Confederate forces in this State, and to the General in command in the Charleston military district, the proceedings of the Convention in reference to the subject matter of this report, and that he accompany said communication with copies of this report and Ordinance.

I. W. HAYNE, *Chairman*.

#### AN ORDINANCE

Supplemental to, and amendatory of, "An Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy."

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, as follows:*

SEC. 1. That the city of Charleston shall constitute a separate and additional district, distinct from the District of Charleston outside of the city limits, under the provisions of an Ordinance entitled "An

Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy," and that a Commission of five persons be elected by this Convention, who shall be, and are hereby, invested with all the powers, in reference to the removal of negroes from the said city, which in the said Ordinance are vested in the Commissions thereby created, the removal to be made subject to the same conditions and incidents therein provided; and the said Commission for the city of Charleston shall be, and is hereby, invested further with the like powers in reference to white inhabitants of the said city, who by reason of sex, age or infirmity are incapable of contributing to the defence of the same, and also with power to remove the public records whenever their safety may require it.

SEC. 2. That said Commission are hereby authorized, with the assent of the Governor and Council, to determine upon the necessity or expediency of the removals herein provided for, and the time when and the extent to which the same shall be effected.

SEC. 3. That said Commission for the city of Charleston shall immediately confer confidentially with the Executive Authority of the State, and with the General commanding the Confederate forces in this State, and the General in command of the military district of Charleston, for the purpose of obtaining the information requisite to enable them to perform their duties under this Ordinance, and of establishing a coöperation between the State Authorities, Military and Civil, and the Confederate Military Authorities.

SEC. 4. That the said Commission for the city of Charleston, or a majority of them, are hereby authorized to draw upon the Treasury for the sum of ———— dollars, if so much be necessary, for the purpose of defraying the expenses incident to the discharge of the duties assigned.

SEC. 5. That such movable property as shall remain in untenable territory outside of the limits of Charleston, after action has been taken under the Ordinance to which this is supplemental, by the Commissions therein named, may, by the assent of the Commission in the District in which said property is situated, be seized by the Confederate Military Authorities, and appropriated to the use of the army, without accountability on the part of such Military Authorities, or their agents, to the persons owning the same.

SEC. 6. That all movable property in untenable territory outside of the limits of Charleston, which may be made available to the enemy, and which remains as aforesaid, and which the Confederate Military



Authorities cannot apply to the use of the army, the said authorities are hereby authorized to burn or otherwise destroy, without accountability to the owner, and it is the sense of this Convention that such a policy should be pursued.

The President stated to the Convention, that he had received a communication from Mr. Maxey Gregg.

On motion of Mr. Wardlaw, the communication was ordered to lie on the table, and to be entered upon the journal.\*

Mr. Quattlebaum asked to record the vote he would have given if present, on agreeing to "an Ordinance for strengthening the Executive Department during the exigencies of the present war;" and Mr. Quattlebaum, being called, answered "no."

### SPECIAL ORDER.

The Convention proceeded to the consideration of the report of the Special Committee No. 3, charged with considering and reporting the means by which the State can afford most ready and efficient aid to the Confederate authorities, in expelling the invaders from the State, which had been made the special order of the day for this day.

On motion of Mr. Bobo, the report was ordered to lie on the table.

### GENERAL ORDERS.

An Ordinance to afford pecuniary relief to the citizens of this State, was taken up.

Mr. Bobo moved that the Ordinance be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 58; nays, 39.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Jamison,  
Barron,  
Barton,  
Bellinger,  
Bethea,  
Bobo,

Messrs. Boswell,  
Brabham,  
Brown, A. H.  
Caldwell,  
Carroll,  
Clarke,

\* See Report of Committee on Engrossed Ordinances, of September 17, 1862.



Messrs. Curtis,  
 Darby,  
 Duncan,  
 Dunkin,  
 Evans,  
 Fair,  
 Finley,  
 Gist,  
 Glover,  
 Goodwin,  
 Gourdin, R. N.  
 Gregg, William  
 Grisham,  
 Hammond,  
 Hayne,  
 Hopkins,  
 Inglis,  
 Jackson,  
 Keitt,  
 McLeod,  
 Manigault,  
 Mazyek,  
 Nowell,

Messrs. O'Hear,  
 Perrin,  
 Pope,  
 Porcher,  
 Preston,  
 Rainey,  
 Reed,  
 Rhett,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, J. M.  
 Simons,  
 Sims,  
 Smyly,  
 Snowden,  
 Spratt,  
 Springs,  
 Stokes,  
 Wannamaker,  
 Wardlaw,  
 Wilson, J. H.  
 Woods.

Those who voted in the negative, are

Messrs. Appleby,  
 Brown, C. P.  
 Carlisle,  
 Cauthen,  
 Charles,  
 Chesnut,  
 Crawford,  
 Davis,  
 DeSaussure,  
 DeTreville,  
 DuPre,  
 English,  
 Flud,  
 Furman,

Messrs. Garlington,  
 Giger,  
 Harrison,  
 Hunter,  
 Ingram,  
 Jefferies,  
 Jenkins, John  
 Kinsler,  
 Magrath,  
 Maxwell,  
 Mayes,  
 Moore,  
 Moorman,  
 Parker,

Messrs. Quattlebaum,  
Rhodes,  
Robinson,  
Rowell,  
Sullivan,  
Timmons,

Messrs. Tompkins,  
Townsend,  
Wier,  
Wilson, I. D.  
Young.

So the motion was agreed to.

On motion of Mr. Rhett, the following resolution was ordered to lie on the table :

*Resolved*, That the Governor do communicate to the President of the Confederate States, as the earnest request of this body, that additional troops and munitions of war should be sent for the defence of this State and its extended seaboard.

The General Orders were suspended, and Mr. Barnwell presented the following report, which was considered immediately, and was agreed to :

The Special Committee No. 1, to whom were referred certain resolutions concerning negroes spirited away and stolen by the enemy, ask leave to report, that they deem it inexpedient to pass any Ordinance in reference to this subject, and ask to be discharged from its further consideration.

### GENERAL ORDERS.

The Convention resumed the consideration of the General Orders.

An Ordinance further to provide for the Harbor and Coast Defences of the State, was read, was agreed to, was committed to the Committee on Engrossed Ordinances, and the injunction of secrecy was removed.

On motion of Mr. Inglis, it was

*Resolved*, That this Convention will proceed to ballot for members of the Executive Council, this evening, at eight o'clock.

On motion of Mr. Mazyck, the doors were opened.

On motion of Mr. Reed, business was suspended at eight minutes past three o'clock, P. M., until seven o'clock, P. M.

### RECESS.

The President resumed the chair.

On motion of Mr. Ayer, leave of absence was granted to Mr. Brabham, on account of military duty.

On motion of Mr. A. H. Brown, leave of absence was granted to Mr. John Jenkins, on account of sickness in his family.

On motion of Mr. Spain, the Convention went into

### SECRET SESSION.

On motion of Mr. Dunkin, the vote by which the Report of Special Committee No. 2 was ordered to be printed, was reconsidered.

Mr. Hayne withdrew the motion to print.

Mr. Inglis moved that the Report and Ordinance be printed.

The motion was agreed to.

The Convention proceeded to ballot for members of the Executive Council.

Mr. DeSaussure presented the account of Theo. Stark, for articles furnished for the use of the Convention, which was referred to the Committee on Accounts.

The Convention resumed the consideration of the

### GENERAL ORDERS.

An Ordinance in relation to a portion of the militia, was taken up, and was read.

Pending the consideration thereof,

Mr. Davis, from the Committee appointed to count the ballots for members of the Executive Council, reported that Mr. James Chesnut, Jr., had received one hundred and nine votes, that being a majority of all the ballots cast; and that, therefore, Mr. James Chesnut, Jr., was elected a member of the Executive Council.

On motion, the Convention proceeded to a second ballot for members of the Executive Council.

On motion of Mr. Fair, the doors were opened.

On motion of Mr. Mazyek, the Convention was adjourned at three minutes past ten o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

## WEDNESDAY, JANUARY 8, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. William Curtis.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Appleby,

Atkinson,

Baruwell,

Barron,

Barton,

Bethea,

Bellinger,

Bobo,

Boswell,

Brown, C. P.

Cain,

Caldwell,

Calhoun,

Carlisle,

Caughman,

Charles,

Crawford,

Curtis,

Darby,

DeSaussure,

Duncan,

Dunkin,

DuPre,

English,

Evans,

Finley,

Flud,

Furman,

Garlington,

Geiger,

Messrs. Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Green,

Gregg, William

Grisham,

Harlee,

Harrisou,

Hayne,

Hendersbn,

Hopkins,

Hunter,

Inglis,

Ingram,

Jackson,

Jefferies,

Keitt,

McKee,

McLeod,

Magrath,

Manning,

Maxwell,

Mazyek,

Middleton, John Izard

Moore,

Moorman,

Nowell,

O'Hear,

Parker,

Messrs. Perrin,  
Porcher,  
Quattlebaum,  
Rainey,  
Reed,  
Rhodes,  
Rowell,  
Sessions,  
Shingler, J. M.  
Simons,  
Sims,  
Smith, J. J. P.  
Snowden,

Messrs. Spain,  
Spratt,  
Springs,  
Stokes,  
Sullivan,  
Timmons,  
Tompkins,  
Wannamaker,  
Wardlaw,  
Wilson, I. D.  
Wilson, J. H.  
Woods,  
Young.

The journal of yesterday's proceedings was read.

Mr. Allison offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the Librarian of the Legislature be entitled to the per diem pay of a member of the Convention, for the period of its present session.

Mr. Allison presented the report of the Committee on Accounts, On the account of Theodore Stark; which was considered immediately, and was agreed to.

On motion of Mr. Magrath, Mr. Wagner was excused from attending the present session of the Convention, on account of important public engagements.

Mr. Dunkin presented the report of the Committee on Commercial Relations and Postal Arrangements,

On a resolution of inquiry in relation to imports; and, pending the consideration thereof, the Convention went into

#### SECRET SESSION.

The report of the Committee on Commercial Relations and Postal Arrangements, on a resolution of inquiry, as to the expediency of memorializing the Congress of the Confederate States to repeal or suspend the act imposing duties on imports, was agreed to.

Mr. DuPre, from the Committee appointed to count the ballots for members of the Executive Council, reported that Mr. I. W. Hayne



had received a majority of the ballots cast, and was therefore duly elected.

On motion, the Convention proceeded to another ballot for a member of the Executive Council.

### GENERAL ORDERS.

An Ordinance (reported by the Committee on the Military) in relation to a portion of the militia, was agreed to, and was ordered to be engrossed, and to be signed by the President and the Clerk.

Mr. Fair, from the Committee appointed to count the ballots for a member of the Executive Council, reported that Mr. William H. Gist had received a majority of the ballots cast :

Whereupon, the President announced that Messrs. James Chesnut, Jr., I. W. Hayne and William H. Gist are duly elected members of the Executive Council.

On motion, the injunction of secrecy was removed from the election of the Executive Council ; and it was

*Ordered*, That a certified copy of the " Ordinance for strengthening the Executive Department during the exigencies of the present war," be furnished to his Excellency the Governor, and to each member of the Executive Council.

Mr. Barnwell offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That a copy of the Ordinance " to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy," be distributed to each member of the Convention, with the names of the Commissioners appended.

Mr. Barnwell introduced an Ordinance to suspend the last clause of the first section of the third Article of the Constitution of this State.

Mr. Fair offered the following amendment :

That the twenty-ninth section of the first Article of the Constitution of this State be also suspended.

Mr. Reed offered the following amendment :

That so much of the Constitution as renders ministers of the gos-

pel ineligible to a seat in the General Assembly, be suspended during the existence of the present war.

On motion, the Ordinance and the amendments were referred to the Committee on the Constitution of the State.

The President announced the following Committee to call together the Convention in the event of the death or disqualification of the President :

Messrs. B. F. Dunkin,  
D. L. Wardlaw,  
R. W. Barnwell,  
R. B. Rhett,  
John A. Inglis.

On motion of Mr. DeTreville, the injunction of secrecy was removed from an Ordinance in relation to a portion of the militia.

The report of the Committee on the Military, on the letter of J. G. Gibbes & Co., was taken up.

Mr. William Gregg offered the following amendment :

*Provided*, That cotton and woolen factories shall not be allowed to retain from the military service, more than one overseer for each card-room, spinning and weave-room, and one dresser for each sixty looms.

On motion of Mr. Caughman, the report and the amendment were ordered to lie on the table.

Mr. Wardlaw, from the Committee on the Constitution, made a report, and reported an Ordinance to suspend certain parts of the Constitution of the State of South Carolina.

The Ordinance was read, and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 50; nays, 45.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and	
Messrs. Appleby,	Messrs. Caldwell,
Atkinson,	Caughman,
Barnwell,	Chesnut,
Barron,	Clarke,
Buchanan,	Crawford,
Cain,	Darby,

Messrs. DeSaussure,  
DeTreville,  
Duncan,  
Dunovant, A. Q.  
DuPre,  
English,  
Fair,  
Finley,  
Flud,  
Garlington,  
Geiger,  
Goodwin,  
Gregg, William  
Grisham,  
Henderson,  
Hunter,  
Jackson,  
Jefferies,  
McLeod,

Messrs. Manning,  
Maxwell,  
Moorman,  
Quattlebaum,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Simons,  
Simpson,  
Smyly,  
Snowden,  
Stokes,  
Tompkins,  
Towusend,  
Wier,  
Wilson, J. H.  
Young.

Those who voted in the negative, are

Messrs. Allison,  
Barton,  
Bellinger,  
Bethea,  
Bobo,  
Boswell,  
Brown, A. H.  
Brown, C. P.  
Calhoun,  
Carlisle,  
Charles,  
Evans,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Hammond,  
Harrison,  
Hopkins,  
McCrady,

Messrs. McKeen,  
Manigault,  
Mazyck,  
Middleton, John Izard  
Moore,  
Nowell,  
O'Hear,  
Palmer,  
Parker,  
Perrin,  
Porcher,  
Rainey,  
Robinson,  
Rowell,  
Seabrook, E. M.  
Seabrook, G. W.  
Sessions,  
Shingler, J. M.  
Smith, J. J. P.

Messrs. Spain,  
Spratt,  
Springs,  
Sullivan,

Messrs. Wannamaker,  
Wilson, I. D.  
Woods.

The Ordinance was agreed to, and was committed to the Committee on Engrossed Ordinances.

### GENERAL ORDERS.

The General Orders were resumed.

The report of the Committee on the Military on a resolution in relation to companies on the seaboard, was ordered to lie on the table; and Mr. Mazzyk offered the following resolution, which was agreed to:

*Resolved*, That the Governor be, and he is hereby, authorized to renew for one year, the commissions of officers commissioned by him in pursuance of the resolution passed by the Convention, on the eighth day of April last, and in case of the death, resignation, promotion or removal of any such officer, to commission his successor for the same time: *Provided*, That no such officer shall be commissioned, whose company does not contain the number of men required by the laws of the Confederate States, and are in actual service.

The General Orders were suspended, and Mr. Quattlebaum offered the following resolutions, which were considered immediately, and were agreed to:

*Resolved*, That any one elected by this Convention a member of the Executive Council, and accepting such office, before entering upon the duties thereof, shall have administered to him by the President, in Convention assembled, the oath prescribed by the Constitution of this State.

*Resolved*, That a Committee of three be appointed to wait upon the three gentlemen elected members of the Executive Council, inform them of their election, and ascertain and report whether and when it may be their pleasure to qualify.

Whereupon the President appointed Messrs. Quattlebaum, R. N. Gourdin, and J. J. P. Smith, of the Committee.

Mr. Quattlebaum, from the Committee appointed to wait upon the members of the Executive Council, reported that the Committee had

discharged the duty assigned to them, and that the members of the Council were present and ready to be qualified.

Whereupon the doors were opened, and Messrs. James Chesnut, Jr., I. W. Hayne and William H. Gist, members of the Executive Council elect, attended, and the constitutional oath of office was administered to them by the President.

The Convention went into

## SECRET SESSION.

### SPECIAL ORDER.

The Convention resumed the consideration of the report of Special Committee No. 2.

The report of the Committee down to the words "in view of" was agreed to.

Mr. Harlee moved that the remainder of the report, and the resolution and Ordinance reported by the Committee, be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 59; nays, 50.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Allison,

Appleby,

Atkinson,

Ayer,

Barron,

Barton,

Betha,

Bobo,

Boswell,

Carlisle,

Caughman,

Crawford,

Darby,

Dunkin,

Dunovant, A. Q.

English,

Evans,

Flud,

Messrs. Garlington,

Geiger,

Glover,

Goodwin,

Gregg, William

Grisham,

Hammond,

Harlee,

Harrison,

Hopkins,

Johnson,

Lewis,

Manning,

Mauldin,

Middleton, John Izard

Moorman,

O'Hear,

Parker,



Messrs. Preston,	Messrs. Smyly,
Rainey,	Spain,
Reed,	Spratt,
Rhett,	Springs,
Rhodes,	Stokes,
Richardson, J. P.	Sullivan,
Robinson,	Timmons,
Rowell,	Tompkins,
Seabrook, E. M.	Wannamaker,
Sessions,	Woods,
Shingler, J. M.	Young.
Sims,	

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and	
Messrs. Barnwell,	Messrs. Ingram,
Bellinger,	Jackson,
Brown, A. H.	McCrary,
Brown, C. P.	McKee,
Buchanan,	McLeod,
Cain,	Magrath,
Caldwell,	Manigault,
Carroll,	Maxwell,
Charles,	Mazyck,
Clarke,	Moore,
Curtis,	Perrin,
DeSaussure,	Pope,
DeTreville,	Porcher,
Duncan,	Quattlebaum,
DuPre,	Richardson, F. D.
Finley,	Seabrook, G. W.
Furman,	Simpson,
Gist,	Smith, J. J. P.
Gourdin, R. N.	Snowden,
Gourdin, T. L.	Townsend,
Green,	Wardlaw,
Hayne,	Wier,
Henderson,	Wilson, I. D.
Hunter,	Wilson, J. H.
Inglis,	

So the motion was agreed to.

Mr. Dunkin moved that the vote by which the *report* of the Committee was agreed to, be reconsidered; and pending the consideration, the following communication was received from his Excellency the Governor, and was read by his Special Private Secretary, F. J. Moses, Jr.:

STATE OF SOUTH CAROLINA,  
HEAD QUARTERS, January 8, 1862.

*To the Honorable the President*

*and Members of the Convention:*

From your official notice just received, and the Ordinance enclosed me, I perceive that the Executive power has been, to a great extent, remodeled. I shall endeavor faithfully to do my humble part in attempting to execute this Ordinance, as far as I can; but it is due to the Legislature, who have entrusted to my care the Executive power, as established under the Constitution, to say that I seriously think the Ordinance that you have now passed will, in its practical operation, greatly weaken the Executive as created by the Constitution.

I understand, from the Ordinance, that no appointment, even of the humblest kind, is to be made, except by a deliberate vote of the new Council to be created. The eighth section requires that the record of all the proceedings of the Governor and Council shall be laid before the Convention. I do not know if I am to understand that all the proceedings of the Governor are to be laid before the Convention. I do not know if all orders to be issued, relating to the military, are first to be submitted to a vote of the Council. If so, there will be great imbecility in acting as Commander-in-Chief. As it is an Ordinance passed deliberately by the highest and most unlimited power, I shall feel it my duty cheerfully to try and execute it to the letter. We are an educated and informed people, and the real strength of an Executive consists in doing what is right and just, faithfully for the public interest. Any unusual or arbitrary power will create suspicion and jealousy, unless it be obviously necessary under circumstances where the usual authorities cannot act. We are under an almost absolute military Government, and, by the acts of your Convention, the State has been transferred under the jurisdiction of the Confederate Government, and Confederate Generals have practically all power over the resources and defences of the State.

I beg leave most respectfully to make this communication, as due to

my office, and to those who appointed me to the exercise of the powers confided to me under the Constitution of the State.

The threatening aspect of public affairs, with a large force invading our State, demands the utmost possible forbearance, and precludes me from the course that would be more agreeable to myself, and more just to the power from which I received my appointment. This course would be more imperative, from the consideration that the same Ordinance provides for the perpetuation of this power, by enabling any twenty men, from any motive whatever, to call the Convention together.

I do not desire to be the means of creating the least division in the public mind under existing circumstances. I therefore make this communication to your body in secret session. I have never, for one moment, had any motive in any public act while in office, except to sustain the honor, rights and independence of my State. When all the circumstances are known, as they will be in history, neither time nor scrutiny can change the verdict of posterity.

F. W. PICKENS.

On motion, the communication was ordered to lie on the table, and to be entered on the secret journal.

The Convention resumed the consideration of the motion to reconsider the vote by which the report of Special Committee No. 2 was agreed to.

The motion to reconsider was agreed to.

Mr. Inglis offered the following amendment:

*Resolved*, That the provisions of the Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy, be extended to the removal of those persons in the City of Charleston who by reason of age, sex or infirmity are incapable of taking part in its defence, if such removal becomes necessary in the judgment of the commission herein provided for.

*Resolved*, That a commission of five citizens of Charleston be chosen by this Convention, whose duty it shall be to execute within the City of Charleston the provisions of the Ordinance aforesaid, and of this resolution.

And, pending the consideration thereof, the doors were opened.

On motion of Mr. Inglis, business was suspended at forty-five minutes past three o'clock, P. M., until seven o'clock, P. M.

## RECESS.

The President resumed the chair.

Mr. Quattlebaum offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, That the accounts of the printer for this Convention be audited by the Comptroller General, allowing him the rates designated in the resolution conferring upon him his appointment; and that the said accounts, when so audited, be paid by the Treasurer of the Upper Division.

*Resolved*, That a certified statement of the Clerk of the Convention, setting forth the amount of work done for the use of the Convention in secret session, shall be a sufficient voucher for the same.

Mr. English offered the following resolutions, which were considered immediately, and were agreed to :

*Whereas*, We are engaged in a struggle for blood-bought rights, and an institution sanctioned by God in His revealed will : *And, whereas*, the Sovereign Ruler of the Universe has said, "Them that honor me I will honor, and they that despise me shall be lightly esteemed:" *And, whereas*, as a people, we have sinned against Him, and should therefore confess our sins that they may be forgiven: *And, whereas*, His mercies, also, should be gratefully acknowledged, and a continuance of His blessings humbly implored : *And, whereas*, it is our especial duty, at this time, to implore that He will, in His mercy, confer on these Confederate States the blessings of a safe and honorable peace ; therefore,

*Resolved*, By this Convention, representing the sovereignty of this Commonwealth, that at the close of its session we will devoutly engage in these solemn duties, so acceptable to God and so honorable to us.

*Resolved*, That the President of this Convention shall accordingly call upon Rev. J. C. Furman to lead in prayer, in conformity with the tenor of this paper.

Mr. Mazyck offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That until the end of the next regular session of the General Assembly, no tax collector, or other public officer or agent, charged with the duty of receiving money for the State, shall be



authorized to receive, in payment of taxes or other dues to the State, the notes or bills of any bank or other incorporated company, not legally payable on demand, or not current, at par, with the notes of the Bank of the State of South Carolina; anything in any Act of the General Assembly to the contrary notwithstanding.

Mr. McCrady offered the following resolution :

*Resolved*, That the Convention dispose of its business and adjourn to-night.

And, pending the consideration thereof, the Convention went into

### SECRET SESSION.

The resolution offered by Mr. McCrady was agreed to.

The Convention resumed the consideration of the Special Order, being the report of Special Committee No. 2.

Mr. Inglis offered the following amendment :

*Resolved*, That in case any expense is incurred by the Commissioners in the removal of white persons, such persons shall be liable to repay such expense to the Commissioners—which repayment may be enforced by action of debt in any Court of common law.

Mr. Harllee moved to lay the amendments on the table; and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 56 ; nays, 57.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Messrs. Allison,  
Appleby,  
Barron,  
Barton,  
Bethea,  
Bobo,  
Boswell,  
Calhoun,  
Chesnut,  
Crawford,  
Darby,

Messrs. Dunovant, A. Q.  
Evans,  
Fair,  
Flud,  
Garlington,  
Godwin,  
Gregg, William  
Grisham,  
Hammond,  
Harllee,  
Hopkins,



Messrs. Hunter,  
 Ingram,  
 Jackson,  
 Jefferies,  
 Johnson,  
 Lewis,  
 Manning,  
 Mauldin,  
 Maxwell,  
 Middleton, John Izard  
 Moorman,  
 Preston,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, J. P.

Messrs. Robinson,  
 Rowell,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, J. M.  
 Simpson,  
 Sims,  
 Smyly,  
 Spain,  
 Springs,  
 Stokes,  
 Sullivan,  
 Tompkins,  
 Wannamaker,  
 Wier,  
 Woods,  
 Young.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and

Messrs. Atkinson,  
 Ayer,  
 Barnwell,  
 Bellinger,  
 Brown, A. H.  
 Brown, C. P.  
 Buchanan,  
 Cain,  
 Caldwell,  
 Carlisle,  
 Carroll,  
 Caughman,  
 Charles,  
 Clarke,  
 Curtis,  
 DeSaussure,  
 DeTreville,  
 Duncan,  
 Dunkin,  
 DuPre,

Messrs. English,  
 Finley,  
 Furman,  
 Geiger,  
 Gist,  
 Gourdin, R. N.  
 Gourdin, T. L.  
 Harrison,  
 Hayne,  
 Henderson,  
 Inglis,  
 McCrady,  
 McKee,  
 McLeod,  
 Magrath,  
 Manigault,  
 Mazyck,  
 Moore,  
 Nowell,  
 O'Hear,

Messrs. Parker,  
 Perrin,  
 Pope,  
 Porcher,  
 Quattlebaum,  
 Richardson, F. D.  
 Seabrook, G. W.  
 Simons,

Messrs. Smith, J. J. P.  
 Snowden,  
 Spratt,  
 Timmons,  
 Townsend,  
 Wardlaw,  
 Wilson, I. D.  
 Wilson, J. H.

So the motion was not agreed to.

The question being put, will the Convention agree to the report and the amendments? it passed in the affirmative.

Yeas, 60; nays, 54.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Atkinson,  
 Ayer,  
 Barnwell,  
 Bellinger,  
 Brown, A. H.  
 Brown, C. P.  
 Cain,  
 Caldwell,  
 Carlisle,  
 Carroll,  
 Caughman,  
 Charles,  
 Clarke,  
 Curtis,  
 DeSaussure,  
 DeTreville,  
 Duncan,  
 Dunkin,  
 DuPre,  
 English,  
 Finley,  
 Furman,  
 Geiger,  
 Gist,

Messrs. Gourdin, R. N.  
 Gourdin, T. L.  
 Harrison,  
 Hayne,  
 Henderson,  
 Inglis,  
 Keitt,  
 McCrady,  
 McKee,  
 McLeod,  
 Magrath,  
 Manigault,  
 Mazyek,  
 Middleton, J. Izard  
 Moore,  
 Nowell,  
 O'Hear,  
 Parker,  
 Perrin,  
 Pope,  
 Porcher,  
 Quattlebaum,  
 Richardson, F. D.  
 Seabrook, G. W.

Messrs. Shingler, J. M.  
Simons,  
Sims,  
Smith, J. J. P.  
Snowden,  
Spratt,

Messrs. Timmons,  
Townsend,  
Wardlaw,  
Wilson, I. D.  
Wilson, J. H.

Those who voted in the negative, are

Messrs. Allison,  
Appleby,  
Barron,  
Barton,  
Bethca,  
Bobo,  
Boswell,  
Buchanan,  
Calhoun,  
Chesnut,  
Crawford,  
Darby,  
Dunovant, A. Q.  
Evans,  
Fair,  
Flud,  
Garlington,  
Goodwin,  
Gregg, William  
Grisham,  
Hammond,  
Harlee,  
Hopkins,  
Hunter,  
Ingram,  
Jackson,  
Jefferies,

Messrs. Johnson,  
Lewis,  
Manning,  
Mauldin,  
Maxwell,  
Moorman,  
Preston,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.,  
Robinson,  
Rowell,  
Seabrook, E. M.  
Sessions,  
Simpson,  
Smyly,  
Spain,  
Springs,  
Stokes,  
Sullivan,  
Tompkins,  
Wannamaker,  
Wier,  
Woods,  
Young.

So the motion was agreed to.

Mr. Simons, from the Committee on Engrossed Ordinances, made the following report, which was considered immediately, and was agreed to:

The Committee on Engrossed Ordinances, to whom it was referred to inquire and report, "what resolutions and orders of the Convention, passed in secret session, and how much, and what portions of the secret journal, may now be made public without impropriety," beg leave to report :

That they have duly considered the same, and have embodied their views in the following resolutions, which they submit for the judgment of this Convention :

*Resolved*, That the Printer of this Convention be authorized and directed, immediately on the adjournment of this body, to publish in his newspaper at Columbia, and to forward to each member of this body, all the Ordinances, reports, resolutions and orders adopted by this Convention at its present session, and from which the injunction of secrecy has been removed.

*Resolved*, That the residue of the proceedings be not published until the next session of this Convention, but in case it should not reassemble, then, that his Excellency the Governor, and the Executive Council, be authorized and directed to cause the proceedings of this session of the Convention, public and secret, to be published in pamphlet form, at such time as they may deem advisable.

Mr. Simons, from the Committee on Engrossed Ordinances, made the following report, which was considered immediately, and was agreed to :

The Committee on Engrossed Ordinances ask leave to report :

That the following Ordinances have been engrossed, and ratified by the signature of the President and the attestation of the Clerk, to wit :

An Ordinance to provide for holding elections for Districts occupied or threatened by the enemy.

An Ordinance to enable citizens of the State, who are engaged in military service, to exercise the right of suffrage.

An Ordinance to suspend in part the operation of an Act of the General Assembly, entitled "An Act for regulating and fixing the salaries of several officers, and for other purposes therein mentioned."

An Ordinance further to provide for the Harbor and Coast Defences of the State.

An Ordinance for strengthening the Executive Department during the exigencies of the present war.

An Ordinance in relation to a portion of the militia.



An Ordinance to suspend certain parts of the Constitution of the State of South Carolina.

Your Committee would further report,

That the Ordinance entitled "An Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy," from which the injunction of secrecy has not been removed, has been placed under sealed cover, and together with the various Ordinances adopted and ratified by this Convention, have been deposited in the Secretary of State's office, for safe keeping.

Your Committee would also report,

That the more important resolutions adopted by this body, have also been engrossed, so as to preserve them in a more permanent form.

On motion of Mr. Quattlebaum, the vote by which the resolution, directing the names of the Commissioners to be appended to the certified copies sent to them respectively, was agreed to, was reconsidered, and Mr. Quattlebaum offered the following amendment, which was considered immediately, and was agreed to :

*Resolved*, That lists of the Commissioners be printed, and that the Printer of the Convention be instructed to send, by mail, a list thereof, to each member of the Convention.

On motion, the Charleston Delegation were permitted to retire to nominate suitable persons as Commissioners for the City of Charleston.

Mr. Magrath, from the Charleston Delegation, reported the following as suitable persons as Commissioners for the City of Charleston :

Messrs. C. M. Furman,  
Charles Kerrison,  
R. N. Gourdin,  
G. A. Trenholm,  
W. D. Porter.

On motion of Mr. Barnwell, the persons nominated were declared duly elected.

Mr. Inglis offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, That the injunction of secrecy be removed from the report and resolutions of Special Committee No. 2, adopted by the Conven-



tion, in so far as to permit the communication of a certified copy of the said report and resolutions to each of the Commissioners for Charleston, with leave to make known so much of the same as may be necessary to the several parties interested therein, and to the Commanding General of the Confederate forces in this State and the Confederate officer commanding at Charleston, and that the President be instructed to notify the Commissioners of their election.

*Resolved*, That, the Commissioners for Charleston be each furnished with a copy of the "Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy," with the same right to communicate the same, as by a previous resolution of this Convention is given to the Commissioners for the Districts of Georgetown, Herry, Charleston, Colleton and Beaufort.

On motion of Mr. Manning, the doors were opened.

On motion of Mr. Manning, the Convention resolved itself into a Committee of the Whole, Mr. R. DeTreville in the chair.

Mr. Manning offered the following resolutions, which were agreed to:

*Resolved, unanimously*, That this Convention is fully impressed with the courtesy, impartiality and ability, with which the Hon. D. F. Jamison has conducted the business of the Chair.

*Resolved, unanimously*, That in testimony thereof, this body hereby tender to Mr. Jamison their cordial thanks.

On motion the Committee rose, and the Chairman reported to the Convention the resolutions adopted by the Committee.

The President said:

GENTLEMEN OF THE CONVENTION: I have already received at your hands a testimonial similar to this, and I feel that I owe such expressions of your approbation far, far more to your generous kindness than to any merit of my own.

My connection with this body, and my association with its members during a period of great trial to our beloved State, have been productive of some of the proudest and the most pleasing recollections of my whole life.

For this and the many other acts of kindness and confidence so

generously bestowed upon me, permit me, in parting, to tender you my most profound and grateful acknowledgments.

Mr. Wardlaw offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That when this Convention shall adjourn, it shall be adjourned to meet at Columbia, on the second Tuesday of January, 1863, unless it should be sooner reassembled under the last section of the "Ordinance for strengthening the Executive Department during the exigencies of the present war."

After prayer by the Rev. J. C. Furman, the Convention was adjourned at eleven o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*



## PROCLAMATION.

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### STATE OF SOUTH CAROLINA :

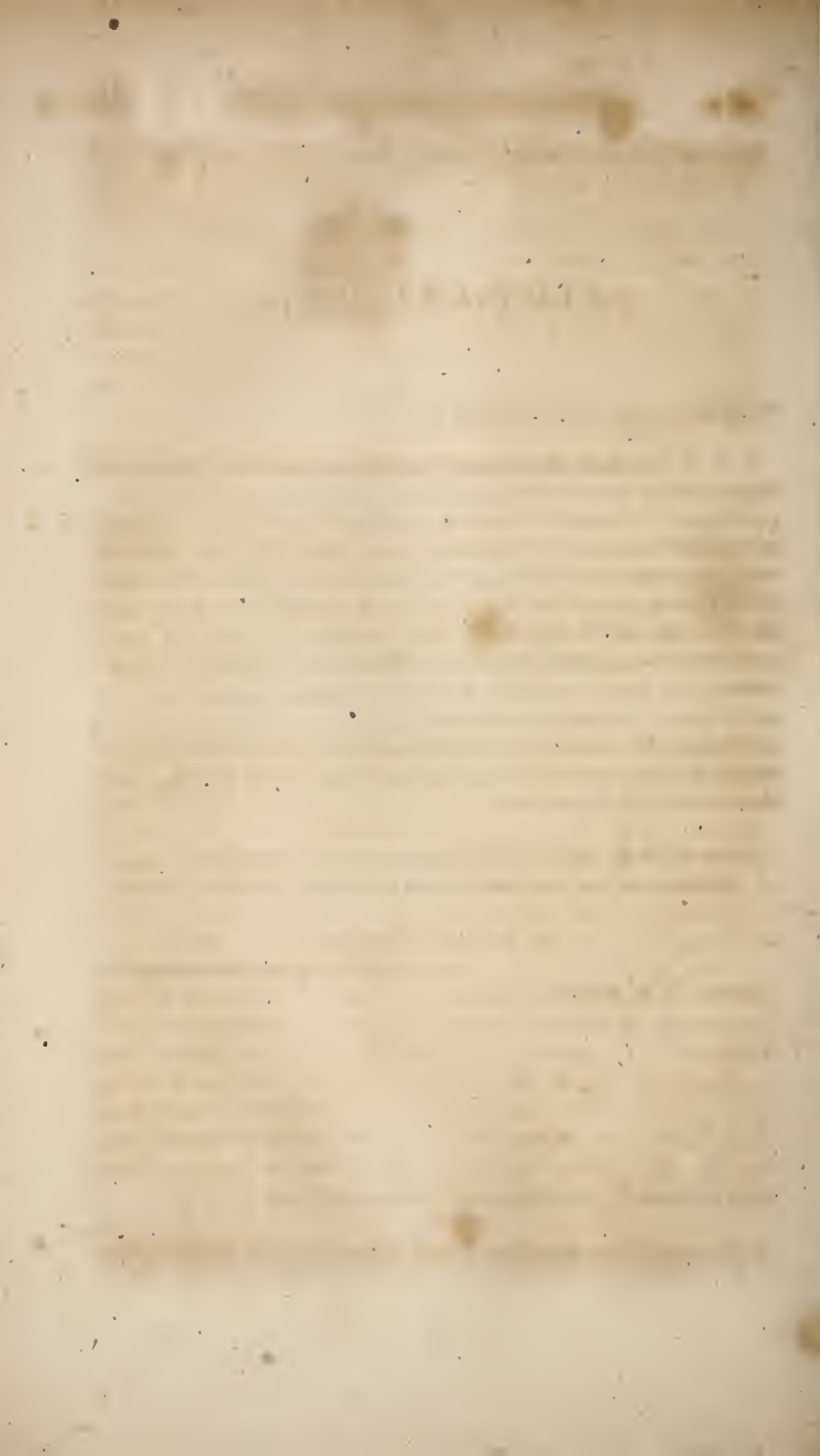
I, D. F. JAMISON, President of the Convention of the People of South Carolina, by virtue of the authority vested in me by the said Convention, and in compliance with the provisions of an Ordinance passed by the said Convention, on the seventh day of January, in the year one thousand eight hundred and sixty-two, which ordains that the President of the Convention, "if he shall be requested in writing so to do, by any twenty members of the Convention, shall, by notice under his hand, duly published, assemble this Convention without delay, at a time and place to be by him fixed;" and as such request in writing has been made to me by twenty members of the Convention, do hereby convoke the same; and summon the members of the said Convention to reassemble at Columbia, in the State aforesaid, at twelve o'clock, M., on Tuesday, the ninth day of September next.

Given under my hand, at Burwood, this twenty-third day of August,  
in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON,

*President of the Convention.*

*Attest : B. F. ARTHUR, Clerk.*





## FOURTH SESSION.

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TUESDAY, SEPTEMBER 9, 1862.

Pursuant to the Proclamation of the President of the Convention, issued on the twenty-third day of August, one thousand eight hundred and sixty-two, the Convention of the People of South Carolina re-assembled in the Hall of the House of Representatives, in the City of Columbia, on this day, at twelve o'clock, M.

The President took the chair, and addressed the Convention as follows :

GENTLEMEN OF THE CONVENTION : The express provisions of an Ordinance "for strengthening the Executive Department during the exigencies of the present war," passed at the conclusion of your last session, have left me no discretion in reassembling the Convention of the People of South Carolina ; and, as a request has been made to me, in compliance with the provisions of that Ordinance, by twenty members of the Convention, to wit : by Mr. R. G. M. Dunovant, in a letter dated April 12, 1862 ; by Messrs. W. Porcher Miles, R. DeTreville, C. D. Evans, A. W. Bethea, W. S. Grisham, T. Y. Simons, and George Boswell, in letters dated the 7th, 8th, 10th, 18th, 21st and 25th of May, respectively ; by Mr. F. D. Richardson, in a letter of the 4th of June ; by Messrs. J. P. Richardson, Theo. D. Wagner, J. J. Ingram, John L. Manning, R. Woods, and Wm. P. Shingler, in letters dated the 2d, 10th and 14th of July ; and by Messrs. E. M. Seabrook, Wm Hunter, B. B. Foster, J. C. Smyly, and James L. Orr, in letters dated the 1st, 3d, 8th, 16th and 21st of August, I have called you together to take such action as in your judgment may be deemed best.

The proceedings were opened with prayer by Rev. T. R. English,

after which the Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Atkinson,

Barnwell,

Barton,

Bethea,

Bobo,

Bonneau,

Brabham,

Brown, C. P.

Burnet,

Caldwell,

Calhoun,

Carroll,

Caughman,

Cauthen,

Charles,

Chesnut,

Clarke,

Darby,

DeSaussure,

Dozier,

Duncan,

Dunkin,

Dunovant, R. G. M.

English,

Evans,

Fair,

Frampton,

Furman,

Garlington,

Geiger,

Gist,

Gourdin, R. N.

Gourdin, T. L.

Gregg, William

Grisham,

Hanckel,

Harllee,

Messrs. Harrison,

Hayne,

Henderson,

Honour,

Hopkins,

Hutson,

Inglis,

Ingram,

Jackson,

Jefferies,

Johnson,

Kinard,

Kinsler,

Lawton,

Logan,

McCady,

McKee,

Manigault,

Manning,

Mauldin,

Maxwell,

Mayes,

Mazyck,

Middleton, John Izard

Middleton, Williams

Moorman,

O'Hear,

Pope,

Porcher,

Quattlebaum,

Rainey,

Reed,

Rhett,

Rhodes,

Richardson, J. P.

Seabrook, G. W.

Shingler, J. M.

Simons,

Messrs. Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Smyly,  
 Spain,  
 Springs,  
 Sullivan,  
 Timmons,

Messrs. Tompkins,  
 Townsend,  
 Wardlaw,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Woods,  
 Young.

The following letter was read by the President :

ANDERSON, September 8, 1862.

HON. D. F. JAMISON,

*President of the Convention :*

DEAR SIR : I feel constrained, in consequence of family afflictions, to ask leave of absence from the approaching session of the Convention. If the sitting of the body is protracted beyond a few days, I may be able to attend, but at present I could not leave my family without a dereliction of duty to them that the occasion would not justify. Please make known my request to the body on its assembling Tuesday.

Very respectfully, yours, &c.,

J. N. WHITNER.

On motion of Mr. Dunkin, leave of absence was granted to Mr. Whitner.

Mr. John Phillips, Delegate from St. Philip's and St. Michael's, elected to fill the vacancy occasioned by the resignation of Mr. A. G. Magrath, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

Mr. William R. Taylor, Delegate from Kershaw, elected to fill the vacancy occasioned by the resignation of Mr. T. J. Withers, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

Mr. Reuben Stephens, Delegate from St. Bartholomew's, elected to fill the vacancy occasioned by the death of Mr. M. E. Carn, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

Messrs. Wm. J. Alston and Wm. R. Robertson, Delegates from Fairfield, elected to fill the vacancies occasioned by the death of Mr. William S. Lyles and of Mr. John Buchanan, appeared at the Clerk's desk, produced their credentials, signed the roll, and took their seats.

Mr. Quattlebaum offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That a Committee of three be appointed to wait upon his Excellency the Governor, and inform him that the Convention of the People of South Carolina have assembled, and, a quorum being present, are ready to receive "the record of all the proceedings of the Governor and Council had prior thereto," as provided in the Ordinance creating that body.

Whereupon, the President appointed the following gentlemen, of the Committee : Messrs. Quattlebaum, Hopkins and R. N. Gourdin.

Mr. Quattlebaum, from the Committee appointed to wait upon his Excellency the Governor, reported that they had discharged that duty, and that his Excellency would communicate with the Convention forthwith.

A communication was received from his Excellency the Governor, and was read by his Private Secretary, Col. F. J. Moses, Jr.

Mr. Harlee offered the following resolution :

*Resolved*, That the communication of his Excellency the Governor, with such documents as are not already printed, be laid on the table and be printed for the use of the Convention, and that the military correspondence be printed for the private use of the members of the Convention.

Mr. Barnwell offered the following amendment, which was agreed to :

*Resolved*, That the communication of his Excellency the Governor, and the accompanying documents, be referred to a Special Committee of twenty-one members, who shall have power to appoint sub-committees.

Whereupon the President appointed the following gentlemen, of the Committee :

Messrs. R. W. Barnwell,  
D. L. Wardlaw,  
Perry E. Duncan,  
John A. Calhoun,  
B. F. Duukin,  
J. P. Carroll,

Messrs. Henry C. Young,  
S. Bobo,  
John Phillips,  
Simeon Fair,  
Alexander Mazyek,  
Edward McCrady,



Messrs. John A. Inglis,  
R. B. Rhett,  
J. P. Richardson,  
W. F. DeSaussure,  
John L. Manning,

Messrs. J. J. P. Smith,  
T. Y. Simons,  
W. D. Johnson,  
G. Manigault.

Mr. Harllee offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That the injunction of secrecy be removed from the proceedings of this Convention at its different sessions heretofore held ; and that the proceedings in such secret sessions be printed with those already made public.

On motion of Mr. John Izard Middleton, it was ordered that when the Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

Mr. Robertson offered the following resolutions, which were considered immediately, and were unanimously agreed to :

*Resolved*, That this Convention has heard with emotions of profound sorrow and regret the announcement of the deaths of General John Buchanan, Major William S. Lyles and Col. John H. Means, who, at the time of their respective deaths, were members of this Convention from the District of Fairfield.

*Resolved*, That this Convention tender to the respective families and relatives of the deceased the expression of its sympathy in these afflictive events.

*Resolved*, That the Clerk of this Convention communicate a copy of these resolutions to the respective families of the deceased.

Mr. Gist offered the following resolutions, which were considered immediately, and were unanimously agreed to :

*Resolved*, That this Convention has received, with deep regret, the announcement of the death of Col. James M. Gadberry, late one of its members.

*Resolved*, That his earnest and patriotic devotion to his country's honor and independence, which he has sealed with his life's blood on the field of battle, entitles his memory to a grateful appreciation by his State.

*Resolved*, That a copy of these resolutions be furnished by the



Secretary of the Convention to his only known relative, Mrs. Perry, of Union District.

*Resolved*, That as a further testimonial of our esteem, this body will wear the usual badge of mourning

On motion of Mr. Gist, and as a further mark of respect for the memory of the deceased, the Convention was adjourned at half-past one o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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WEDNESDAY, SEPTEMBER 10, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. Wm. Curtis.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,  
Alston,  
Atkinson,  
Barnwell,  
Barton,  
Beaty,  
Bethca,  
Bobo,  
Bonneau,  
Boswell,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Burnet,  
Caldwell,  
Calhoun,  
Campbell,  
Carlisle,

Messrs. Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Curtis,  
Darby,  
Davant,  
DeSaussure,  
Dozier,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
English,  
Evans,

Messrs. Fair,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Logan,  
McKee,  
McLeod,  
Manigault,  
Mauldin,  
Maxwell,  
Mayes,

Messrs. Mazyek,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Phillips,  
Pope,  
Poreher,  
Preston,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Richardson; J. P.  
Robertson,  
Scott,  
Seabrook, E. M.  
Seabrook, G. W.  
Sessions,  
Shingler, J. M.  
Simons,  
Simpson,  
Sims,  
Smith, J. J. P.  
Smith, Thomas  
Smyly,  
Spain,  
Springs,  
Stephens,  
Stokes,  
Sullivan,  
Taylor,  
Timmons,  
Tompkins,  
Townsend,

Messrs. Wagner,  
Wannamaker,  
Wardlaw,  
Williams,

Messrs. Wilson, I. D.  
Wilson, J. H.  
Woods,  
Young.

The journal of yesterday's proceedings was read.

Mr. Phillips introduced the following Ordinance :

#### AN ORDINANCE

To repeal an Ordinance entitled "An Ordinance for strengthening the Executive Department during the exigencies of the present war," and for other purposes.

1. *Be it ordained by the People of South Carolina, in Convention assembled,* That the Ordinance entitled an Ordinance for strengthening the Executive Department during the exigencies of the present war, ordained by this Convention on the ——— day of last January, be and the same is hereby repealed, and that all offices created and established by the same or in pursuance thereof, be and the same are hereby vacated and abolished.

2. That the Governor be and he is hereby authorized and empowered to appoint a Secretary of the Treasury, to keep, examine and audit all the accounts of the Executive Department. That the said Secretary of the Treasury, when so appointed, shall hold his office from the time of his appointment until ten days after the next General Assembly of this State shall have convened, unless his office shall be sooner abolished by the Legislature. That the said Secretary of the Treasury shall make a report of all his official acts to the Governor, to be transmitted to and examined by the Legislature, and that he receive for his services such compensation as the Legislature may deem proper.

3. That the Governor is hereby authorized and empowered to appoint and commission one Assistant Adjutant General, with the rank of and the same pay as is allowed to a Captain of Infantry in the Confederate army, whose duty it shall be to assist the Adjutant General of this State in the discharge of his official duties, and that he shall hold his office until ten days after the next General Assembly of this State shall have convened, unless his said office shall be sooner abolished by the Legislature.

4. That all Ordinances, Resolutions or Orders of the Executive Council, professing or purporting to alter or amend any Act or Resolution of the General Assembly of this State, be and the same are hereby

repealed, except such as the Governor may deem necessary to the safety of the State, in which event they shall continue in operation, and of force, until otherwise altered or amended by the Legislature.

Mr. Phillips moved that the Ordinance be referred to a Special Committee, and that it be printed.

Mr. J. Izard Middleton moved that the Ordinance be referred to the Committee on the Constitution.

Mr. Fair moved that it be referred to the Special Committee of Twenty-one; which motion was not agreed to.

The motion of Mr. Phillips that the Ordinance be referred to a Special Committee of seven, and be printed, was agreed to. Whereupon the President appointed the following gentlemen, of the Committee :

Messrs. John Phillips,  
F. D. Richardson,  
W. P. Finley,  
J. J. Ingram,  
R. G. M. Dunovant,  
R. J. Davant,  
C. P. Sullivan.

Mr. Johnson presented the petition of citizens of Mariboro' District, respecting the business of the Convention at its present session; which was read, and was referred to the Special Committee of Seven.

Mr. John Izard Middleton introduced the following Ordinance, which was referred to the Committee on the Constitution, and was ordered to be printed :

#### AN ORDINANCE

To amend the Fourth Section of the First Article of the Constitution.

*The People of South Carolina, in Convention assembled, do hereby ordain, That the Fourth Section of the First Article of the Constitution be amended by adding thereto the following proviso, to wit :*

*Provided, That no person, who is neither at the present time a citizen of one of the States actually constituting the Confederate States of America, nor in future, a native of one of said States, shall be permitted to vote in any general or municipal election in this State.*

So that the section may be read as follows : Every free white man of



the age of twenty-one years, paupers, and non-commissioned officers and private soldiers of the army of the Confederate States excepted, being a citizen of this State, and having resided therein two years previous to the day of election, and who hath a freehold of fifty acres of land or a town lot of which he hath been legally seized and possessed at least six months before such election, or not having such freehold or town lot, hath been a resident in the election district in which he offers to give his vote, six months before the said election, shall have a right to vote for a member or members to serve in either branch of the Legislature for the election district in which he holds such property or is so resident: *Provided*, that no person, who is neither at the present time a citizen of one of the States actually constituting the Confederate States of America, nor in future, a native of one of said States, shall be permitted to vote in any general or municipal election in this State.

Mr. Curtis presented the account of W. H. Trimmier for advertising done for the Convention, and the account of W. H. Trimmier for advertising done for the Governor and Council, which were respectively referred to the Committee on Accounts.

On motion of Mr. Reed, leave of absence was granted to Mr. A. F. Lewis, on account of illness in his family.

On motion of Mr. Moore, leave of absence was granted to Mr. A. Q. Dunovant, who is necessarily absent in attendance on a wounded son.

Mr. Inglis introduced the following Ordinance, which was referred to the Committee on the Constitution:

#### AN ORDINANCE

To repeal "An Ordinance to suspend certain parts of the Constitution of the State of South Carolina."

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the Ordinance entitled, "An Ordinance to suspend certain parts of the Constitution of the State of South Carolina," adopted by this Convention at the last session thereof, be and the same is hereby repealed.*

Mr. Inglis offered the following resolution, which was ordered for consideration to-morrow:

*Resolved,* That the Governor and Council be requested to communi-



cate to this Convention the names of all persons who have made application to them for appointment to any office in their gift, with the result of such application.

### GENERAL ORDERS.

A resolution (by Mr. Harlee) providing for the printing of the secret proceedings of the Convention, was, on motion of Mr. Barnwell, referred to the Convention for consideration when in secret session.

On motion of Mr. Barnwell, it was ordered that when the Convention adjourns, it shall be adjourned to meet to-morrow at twelve o'clock, M.

Mr. Henderson offered the following resolutions, which were unanimously agreed to :

*Resolved*, That we, the members of this Convention, have heard with sorrow and regret of the death of the Hon. M. E. Carn, and beg leave to mingle our sympathies with his bereaved family.

*Resolved*, That the Clerk of this Convention enclose a copy of these resolutions to his afflicted family, and that this Convention do now adjourn.

The Convention was adjourned at fifteen minutes past one o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

### THURSDAY, SEPTEMBER 11, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,  
Alston,  
Atkinson,  
Barton,  
Beaty,

Messrs. Bethca,  
Bonneau,  
Boswell,  
Brabham,  
Brown, A. H.

## Messrs. Brown, C. P.

Caldwell,  
Campbell,  
Carlisle,  
Caughman,  
Cauthen,  
Charles,  
Cheves,  
Clarke,  
Darby,  
Davant,  
Dozier,  
Dunovant, R. G. M.  
DuPre,  
English,  
Evans,  
Finley,  
Flud,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hanckel,  
Harllee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hutson,  
Ingram,  
Jackson,  
Jefferies,

## Messrs. Jenkins, John

Jenkins, J. E.  
Kinard,  
Landrum,  
Lawton,  
Logan,  
McKee,  
McLeod,  
Mauldin,  
Maxwell,  
Mayes,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Phillips,  
Porcher,  
Preston,  
Quattlebaum,  
Rainey,  
Reed,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robertson,  
Robinson,  
Scott,  
Seabrook, E. M.  
Seabrook, G. W.  
Sessions,  
Shingler, J. M.  
Simpson,  
Sims,  
Smith, Thomas  
Smyly,  
Spain,  
Springs,

Messrs. Stephens,  
 Stokes,  
 Sullivan,  
 Taylor,  
 Thompson, R. A.  
 Timmons,  
 Tompkins,  
 Townsend,

Messrs. Wagner,  
 Wannamaker,  
 Wardlaw,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Woods.

The journal of yesterday's proceedings was read.

The following letter was read by the President:

NEAR GEORGETOWN, S. C., 1st September, 1862.

HON. D. F. JAMISON :

DEAR SIR: This District having been abandoned to the enemy, we are subjected in all our rivers to frequent raids by gunboats, attended always with spoliation and destruction of property. The duties of the office I hold (Provost Marshal by appointment of the Governor,) require constant vigilance and attention. I ask to be excused from attending the Convention, at the meeting called on 9th instant.

Very respectfully, your ob't serv't,

FRANCIS S. PARKER.

On motion of Mr. Dunkin, leave of absence was granted to Mr. Parker.

The following letter was read by the President:

GEORGETOWN, September 5th, 1862.

HON. D. F. JAMISON :

DEAR SIR: The occupation of the waters of Winyah by the enemy, their frequent forays into the District, and our defenceless condition, abandoned as we are, by both State and Confederate authorities, render it necessary for me to remain at home for the care of my family.

I therefore respectfully ask of the Convention leave of absence from their present session.

Very respectfully, your ob't serv't,

ALEXIUS M. FORSTER,

Of Prince George Winyah.

On motion of Mr. Dunkin, leave of absence was granted to Mr. Forster.

Mr. Manigault offered the following resolutions, which were ordered for consideration to-morrow, and to be printed :

1. *Resolved*, That the maintenance of a militia is an essential part of the Constitution of this State and of the Confederate States.

2. *Resolved*, That the clause in the Constitution of the Confederate States, which provides that Congress shall have power to provide for the common defence, does not preclude an individual State from providing for its particuilar defence.

3. *Resolved*, That the Constitution of the Confederate States contains no clause prohibiting to the individual States the exercise, in time of war, of their original sovereign right to keep troops and ships of war.

4. *Resolved*, That in providing for the common defence, the language of the Constitution discriminates between the powers to "raise and support armies" and "to keep troops" on the one hand, and the "organizing, arming and disciplining of the militia," and "employing them in the service of the Confederate States," on the other.

5. *Resolved*, That the Constitution of the Confederate States prescribes the mode in which the whole military force of the Confederacy may be made available for its defence; its provisions as to the militia, and the legislation necessary to carry them into effect, being the only kind of compulsive levy or conscription authorized by the Constitution, or contemplated by the framers of it.

6. *Resolved*, That the clause in the Constitution, which reserves to the States respectively the appointment of officers, and the authority of training the militia, is provided as a safeguard to the sovereignty of the States against the dangers arising from the existence of a large army, by reserving to each State the allegiance of, and a control over, its citizens when called into the Confederate service.

7. *Resolved*, That it shall be the duty of the Legislature to take effectual measures to prevent the agents of the Confederate Government from raising troops in South Carolina, except by voluntary enlistments, or by applying to the Executive of the State to call out the militia as by law organized, or some part of it, to be mustered into the Confederate service.

Mr. Allison presented the account of the Yorkville Enquirer for advertising, which was referred to the Committee on Accounts.

Mr. Rhett offered the following resolutions, which were ordered for consideration to-morrow, and to be printed :



*Resolved*, That in the opinion of this Convention, slaveholding and non-slaveholding States cannot continue in peace and safety together, under the same Government, and that, therefore, the admission of any State into the confederacy of the Confederate States, which does not tolerate the institution of slavery within its limits by its fundamental law, will be dangerous to the peace, welfare and stability of the Confederate States.

*Resolved*, That the States composing the United States should have no commercial privileges granted to them by the Confederate States, which are not granted to other nations (excepting the free navigation of the Mississippi river, to which they are entitled); and any law or treaty which may grant any such privileges to any of the said United States, in the opinion of this Convention, will be hostile to the welfare, and dangerous to the peace and independence of the Confederate States.

*Resolved*, That by the Constitution of the Confederate States, Congress has no power to establish or carry on any system of Internal Improvements in the Confederate States, whether embracing Railroads, Canals or Rivers, and that, therefore, the late appropriations of money by Congress for the building of Railroads in several of the Confederate States, are usurpations of power, contrary to the purport and spirit of the Constitution of the Confederate States.

On motion of Mr. Harlee, the Convention went into

#### SECRET SESSION.

The Convention proceeded to the consideration of the following resolution :

*Resolved*, That the injunction of secrecy be removed from the proceedings of this Convention at its different sessions heretofore held, and that the proceedings in such secret sessions be printed with those already made public.

Mr. Barnwell offered the following amendment :

Except so much as relates to the Ordinances for the removal of the negro slaves from the Districts invaded or threatened with invasion by the public enemy.

On motion of Mr. Quattlebaum, the resolution and the amendment were referred to the Committee on Engrossed Ordinances.



Mr. McCrady offered the following resolution, which was agreed to :

*Resolved*, That it be referred to the Committee on Engrossed Ordinances to consider and report whether there are any portions (and what portions specially) of the journals, resolutions and Ordinances of the former sessions of this Convention which cannot yet safely be made public.

Mr. Williams Middleton presented the report of the Commission for Beaufort District for the removal of slaves, under the Ordinance of the Convention, together with the report of the Central Secretary of the Commission.

On motion of Mr. Barnwell, the report of the Commission was ordered to lie on the table, and the report of the Central Secretary was referred to the Committee on Accounts.

Mr. Rhett offered the following resolution, which was agreed to :

*Resolved*, That it be referred to the Committee on Engrossed Ordinances, to inquire and report whether it is expedient to repeal the resolution placing the injunction of secrecy on the debates in this Convention on the adoption of the Constitution of the Confederate States.

On motion of Mr. Reed, the doors were opened.

On motion of Mr. Mazyek, it was ordered that when the Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

Mr. John Izard Middleton asked and obtained leave to withdraw from the Committee on the Constitution, an Ordinance to amend the fourth section of the first Article of the Constitution.

Mr. John Izard Middleton introduced an Ordinance to amend the thirteenth section of the first Article of the Constitution, which was referred to the Committee on the Constitution.

On motion of Mr. Manning, leave of absence was granted to Mr. Ingram, on account of illness in his family.

#### GENERAL ORDERS.

A resolution (by Mr. Inglis,) calling for certain information from the Governor and Council, was agreed to.

The President announced that Mr. Hopkins is added to the Special Committee of Seven.

On motion of Mr. Rhett, the Convention was adjourned at thirty-five minutes past two o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## FRIDAY, SEPTEMBER 12, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. H. D. Green.

The Clerk called the roll, and the following delegates answered to their names :

Messrs. Allison,  
Alston,  
Atkinson,  
Barnwell,  
Barton,  
Beaty,  
Bethca,  
Bobo,  
Bonneau,  
Boswell,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Curtis,  
Darby,  
Davant,  
DeSaussure,  
Dozier,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.

Messrs. DuPre,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Grisham,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.

Messrs. Johnson,  
 Kinard,  
 Landrum,  
 Lawton,  
 Logan,  
 McCrady,  
 McKee,  
 McLeod,  
 Manigault,  
 Manning,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Mazyek,  
 Middleton, John Izard  
 Middleton, Williams  
 Moore,  
 Moorman,  
 Nowell,  
 O'Hear,  
 Palmer,  
 Phillips,  
 Porcher,  
 Preston,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.

Messrs. Richardson, J. P.  
 Robertson,  
 Seabrook, G. W.  
 Sessions,  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Smyly,  
 Spain,  
 Springs,  
 Stephens,  
 Stokes,  
 Sullivan,  
 Taylor,  
 Thompson, R. A.  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wannamaker,  
 Wardlaw,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

On motion of Mr. Phillips, leave was granted to the Special Committee of Seven to hold their sittings during the sessions of the Convention.

Mr. R. N. Gourdin presented the report of the Commission for the removal of persons and property from the City of Charleston, which, on motion of Mr. Barnwell, was ordered for consideration in secret session.

Mr. Wardlaw, from the Committee on the Constitution, made reports,

On an Ordinance to repeal "An Ordinance to suspend certain parts of the Constitution of the State of South Carolina;" and

On an Ordinance to amend the thirteenth section of the first Article of the Constitution, which were severally ordered for consideration to-morrow.

On motion of Mr. Bobo, leave of absence was granted to Mr. Kilgore, on account of military duties.

Mr. Barnwell presented the report of the Special Committee of Twenty-one, on the communication of his Excellency the Governor, and the accompanying documents ;

• Also, reports of sub-committees of the Special Committee of Twenty-one,

On "Correspondence ;"

On the Journal of the Executive Council ;

On the Report of the Chief of the Department of the Military, with accompanying documents ;

On the Report of the Chief of the Department of Construction and Manufacture ;

On the Report of the Chief of the Department of Treasury and Finance ; and

On the Report of the Chief of the Department of Justice and Police ; which were severally ordered for consideration to-morrow, and to be printed.

### GENERAL ORDERS.

Resolutions (by Mr. Manigault) were, on motion of Mr. Wardlaw, ordered to lie on the table.

Resolutions (by Mr. Rhett) were taken up.

Mr. A. H. Brown moved that the resolutions be ordered to lie on the table, and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 58 ; nays, 61.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Messrs. Barnwell,

Barton,

Beaty,

Bethea,

Bobo,

Boswell,

Messrs. Brown, A. H.

Campbell,

Carlisle,

Carroll,

Caughman,

Cauthen,



Messrs. Charles,	Messrs. Landrum,
Chesnut,	McCrady,
Cheves,	McKee,
Curtis,	Mauldin,
DeSaussure,	Mayes,
Duncan,	Mazyck,
Dunkin,	Moore,
Evans,	Noble,
Fair,	Pope,
Foster,	Rainey,
Frampton,	Reed,
Furman,	Richardson, J. P.
Goodwin,	Robertson,
Gourdin, R. N.	Seabrook, E. M.
Gourdin, T. L.	Simons,
Green,	Smyly,
Harrison,	Thompson, R. A.
Hayne,	Tompkins,
Honour,	Townsend,
Hunter,	Wannamaker,
Johnson,	Wardlaw,
Kinard,	Wilson, I. D.
Kinsler,	Wilson, J. H.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,	Messrs. English,
Alston,	Flud,
Atkinson,	Garlington,
Brabham,	Geiger,
Brown, C. P.	Gist,
Burnet,	Hanckel,
Cain,	Harlee,
Caldwell,	Henderson,
Calhoun,	Hutson,
Clarke,	Inglis,
Darby,	Jackson,
Dozier,	Jefferies,
DuPre,	Jenkins, John



Messrs. Jenkins, J. E.  
 Lawton,  
 Logan,  
 McLeod,  
 Manigault,  
 Maxwell,  
 Middleton, J. Izard  
 Middleton, Williams  
 Moorman,  
 Nowell,  
 O'Hear,  
 Palmer,  
 Porcher,  
 Quattlebaum,  
 Rhett,  
 Rhodes,  
 Scott,

Messrs. Seabrook, G. W.  
 Sessions,  
 Shingler, J. M.  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Spain,  
 Springs,  
 Stephens,  
 Stokes,  
 Taylor,  
 Timmons,  
 Wagner,  
 Williams,  
 Woods,  
 Young.

So the motion was not agreed to.

Mr. Reed moved that the first resolution be ordered to lie on the table, and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 45; nays, 68.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Barnwell,  
 Barton,  
 Bethea,  
 Bobo,  
 Brown, A. H.  
 Carlisle,  
 Carroll,  
 Caughman,  
 Charles,  
 Cheves,  
 Curtis,  
 DeSaussure,  
 Duncan,  
 Dunkin,

Messrs. Evans,  
 Fair,  
 Foster,  
 Frampton,  
 Goodwin,  
 Grisham,  
 Harrison,  
 Hayne,  
 Hunter,  
 Johnson,  
 Kinard,  
 Kinsler,  
 Landrum,  
 McCrady,

Messrs. McKee,  
Mauldin,  
Mayes,  
Mazyek,  
Moore,  
Noble,  
Pope,  
Rainey,  
Reed,

Messrs. Seabrook, E. M.  
Simons,  
Smyly,  
Thompson, R. A.  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw.

Those who voted in the negative, are

Hon. D. F. JAMISON, President, and

Messrs. Allison,  
Alston,  
Atkinson,  
Beaty,  
Boswell,  
Brown, C. P.  
Burnet,  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Cauthen,  
Clarke,  
Darby,  
Dozier,  
DuPre,  
English,  
Flud,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Gourdin, R. N.  
Hankel,  
Harllee,  
Henderson,  
Honour,

Messrs. Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Lawton,  
Logan,  
McLeod,  
Manigault,  
Maxwell,  
Middleton, John Izard  
Middleton, Williams  
Moorman,  
Nowell,  
O'Hear,  
Palmer,  
Porcher,  
Quattlebaum,  
Rhett,  
Rhodes,  
Robertson,  
Scott,  
Seabrook, G. W.  
Sessions,  
Shingler, J. M.  
Simpson,

Messrs. Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Spain,  
 Springs,  
 Stephens,  
 Stokes,

Messrs. Taylor,  
 Wagner,  
 Williams,  
 Wilson, J. H.  
 Woods,  
 Young.

So the motion was not agreed to.

Mr. Cheves moved that the further consideration of the first resolution be indefinitely postponed; and, pending the consideration thereof,

On motion of Mr. Townsend, leave of absence was granted to Mr. Wagner, on account of illness in his family.

On motion of Mr. English, leave of absence was granted to Mr. Robinson, on account of important professional engagements.

On motion of Mr. A. H. Brown, the Convention was adjourned at thirty minutes past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## SATURDAY, SEPTEMBER 13, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. G. Landrum.

The Clerk called the roll, and the following Delegates answered to their names:

Messrs. Allison,  
 Alston,  
 Atkinson,  
 Barnwell,  
 Barton,  
 Bethea,  
 Bobo,  
 Bonneau,  
 Boswell,  
 Brown, C. P.

Messrs. Burnet,  
 Cain,  
 Caldwell,  
 Calhoun,  
 Caughman,  
 Canthen,  
 Charles,  
 Chesnut,  
 Cheves,  
 Curtis,

Messrs. Darby,  
Davant,  
DeSaussure,  
Dozier,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
DuPré,  
Evans,  
Fair,  
Finley,  
Foster,  
Fraughton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Goodwin,  
Gourdin, R. N.  
Green,  
Grisham,  
Hanckel,  
Hartlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kinard,  
Landrum,  
Lawton,  
Logan,  
McKee,

Messrs. McLeod,  
Mauldin,  
Maxwell,  
Mazyek,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Phillips,  
Porcher,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Robertson,  
Scott,  
Sessions,  
Shingler, J. M.  
Simons,  
Sims,  
Smith, Thomas  
Smyly,  
Spain,  
Springs,  
Stephens,  
Taylor,  
Tompkins,  
Wannamaker,  
Wardlaw,  
Williams,  
Wilson, I. D.  
Wilson, J. H.  
Woods,  
Young.

The journal of yesterday's proceedings was read.

The Convention resumed the consideration of the resolutions offered by Mr. Rhett.

Mr. Cheves withdrew his motion to indefinitely postpone the first resolution.

Mr. Quattlebaum moved to strike out the first resolution, and insert the following:

*Resolved*, That this Convention having at its previous sessions sufficiently expressed its views regarding the powers and duties of the Confederate Government, and having undergone no change of sentiment in relation thereto, deem it unnecessary to enunciate any further expression of opinion touching the same.

Mr. DeSaussure offered the following amendment, which was accepted by the mover of the resolution:

To insert between the word "views" and the word "regarding," the following: "in relation to the admission of non-slaveholding States into the Confederacy, and"

Mr. Cheves offered the following amendment:

Whereas, this Convention has already fully expressed its opinion on the matter of certain amendments to the Confederate Constitution, it is not expedient now to take up these subjects for reconsideration.

Mr. Burnet moved that the amendments be ordered to lie on the table, and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 58; nays, 60.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs. Allison,

Messrs. Brown, C. P.

Alston,

Burnet,

Atkinson,

Cain,

Barton,

Caldwell,

Beaty,

Calhoun,

Bonneau,

Clarke,

Boswell,

Darby,



Messrs. Davant,  
Dozier,  
DuPre,  
Flud,  
Garlington,  
Geiger,  
Hanckel,  
Harllee,  
Henderson,  
Hopkins,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Lawton,  
Logan,  
McLeod,  
Manigault,  
Maxwell,  
Middleton, John Izard  
Middleton, Williams

Messrs. Moorman,  
O'Hear,  
Palmer,  
Porcher,  
Rainey,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Scott,  
Seabrook, G. W.  
Sessions,  
Shingler, J. M.  
Simpson,  
Sims,  
Spain,  
Springs,  
Stephens,  
Sullivan,  
Taylor,  
Williams,  
Woods.

Those who voted in the negative, are

Messrs. Barnwell,  
Bethea,  
Bobo,  
Carroll,  
Caughman,  
Cauthen,  
Chesnut,  
Cheves,  
Curtis,  
DeSaussure,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
Evans,  
Fair,

Messrs. Finley,  
Foster,  
Frampton,  
Furman,  
Gist,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Grisham,  
Harrison,  
Hayne,  
Honour,  
Hunter,  
Hutson,

Messrs. Johnson,  
 Kinard,  
 Landrum,  
 McCrady,  
 McKee,  
 Manning,  
 Mauldin,  
 Mazyck,  
 Moore,  
 Noble,  
 Nowell,  
 Phillips,  
 Pope,  
 Preston,  
 Quattlebaum,  
 Reed,

Messrs. Richardson, J. P.  
 Robertson,  
 Seabrook, E. M.  
 Simons,  
 Smith, J. J. P.  
 Smith, Thomas  
 Smyly,  
 Thompson, R. A.  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw,  
 Wilson, I. D.  
 Wilson, J. H.  
 Young.

Mr. Cheves withdrew his amendment.

The amendment offered by Mr. Quattlebaum was agreed to.

On motion of Mr. Quattlebaum, the remaining resolutions were ordered to lie on the table.

The General Orders were suspended, and Mr. Mazyck presented the report of the Commission for removal of negroes in Charleston District, and

The report of the Central Secretary to the Commission for Georgetown District; which were severally ordered for consideration in secret session.

Mr. F. D. Richardson presented the report of the majority of the Special Committee of Seven, on an Ordinance to repeal "An Ordinance for strengthening the Executive Department during the exigencies of the present war;" and on the petition of citizens of Marlboro' respecting the business of the Convention at its present session; which was ordered to be printed, and was made the special order of the day for Monday next, at twelve o'clock, M.

Mr. Phillips presented the report of the minority of the same Committee on the same subjects; which was ordered to be printed, and was made the special order of the day for Monday next, at twelve o'clock, M.

Mr. Allison, from the Committee on Accounts, made reports,

On the account of Wm. H. Trimmier, for advertising done for the Governor and Council; and

On the account of Wm. H. Trimmier, for advertising the calls of the Convention; which were severally ordered for consideration on Monday next.

The Convention resumed the consideration of the

### GENERAL ORDERS.

The report of the Committee on the Constitution on an Ordinance to repeal an Ordinance to suspend certain parts of the Constitution of the State of South Carolina; and

The report of the same Committee on an Ordinance to amend the thirteenth section of the first Article of the Constitution, were agreed to.

The report of the Special Committee of Twenty one was taken up.

On motion of Mr. Harlee, the General Orders were suspended, and Mr. Harlee offered the following resolution, which was agreed to :

*Resolved*, That the vote and proceedings of this Convention upon the adoption of the Ordinance for strengthening the Executive Department, during the exigencies of the present war, be made public.

The General Orders were resumed.

Mr. Reed moved to strike out, from the report, the following paragraph :

Your Committee have, by their examination of these papers, been deeply impressed with the conviction that the ordinary powers of the Executive would have been entirely inadequate to effect the objects to which the labors of the Council have been directed, and that the establishment of such a body, with the extraordinary powers conferred upon it, was required by the condition of the country and the exigencies of the times.

The motion was not agreed to.

Mr. E. M. Seabrook moved to strike out from the report of the Committee the following words:

Into this question it is needless now to enter, for it seems plain to the Committee that every act of this Convention, and of those who have acted under its authority, which is mentioned in the report from this department, is embraced within the scope of the Act of the Legislature which provided for the election of delegates to this Convention.

On motion of Mr. Inglis, the General Orders were suspended, and Mr. Barnwell offered the following resolution, which was agreed to:

*Resolved*, That the journal of the Governor and Council, in the hands of the Secretary, be open to the inspection of the members of the Convention of this State and the citizens generally; but that this resolution shall not be so construed as to require the Secretary to part with the possession of the said journal or other records of the Governor and Council.

On motion of Mr. Pope, the Convention went into

### SECRET SESSION.

The "correspondence" accompanying the communication of his Excellency the Governor was read.

On motion of Mr. Inglis, the doors were opened.

On motion of Mr. Reed, the Convention was adjourned at ten minutes past four o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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### MONDAY, SEPTEMBER 15, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. J. Wannamaker.

The Clerk called the roll, and the following Delegates answered to their names:

Messrs. Allison,  
Alston,  
Barnwell,  
Beaty,  
Bethoa,  
Bobo,  
Bonneau,  
Boswell,  
Brown, A. H.

Messrs. Burnet,  
Caldwell,  
Calhoun,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Clarke,  
Curtis,

Messrs. Davant,  
DeSaussure,  
Dozier,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
Evans,  
Fair,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Grisham,  
Hanckel,  
Harilee,  
Harrison,  
Hayne,  
Honour,  
Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Landrum,  
Lawton,  
Logan,  
McCrary,  
McKee,  
McLeod,

Messrs. Manigault,  
Mauldin,  
Maxwell,  
Middleton, J. Izard  
Middleton, Williams  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Phillips,  
Porcher,  
Preston,  
Quattlebaum,  
Reed,  
Rhodes,  
Robertson,  
Scott,  
Seabrook, E. M.  
Sessions,  
Shingler, W. P.  
Simons,  
Simpson,  
Sims,  
Smith, J. J. P.  
Smith, Thomas  
Smyly,  
Spain,  
Springs,  
Stephens,  
Sullivan,  
Taylor,  
Wannamaker,  
Wardlaw,  
Wier,  
Wilson, I. D.  
Wilson, J. H.  
Woods,  
Young.



The journal of Saturday's proceedings was read.

On motion of Mr. Harllee, leave of absence was granted to Mr. Rainey, on account of important public engagements.

Mr. DeSaussure presented the account of Mr. C. P. Pelham for advertising, which was referred to the Committee on Accounts.

Mr. Allison presented the report of the Committee on Accounts, on the account of the Editor of the Yorkville Enquirer, which was ordered for consideration to-morrow.

Also the report of the same Committee on the report of the Central Secretary to the Beaufort Commission for the removal of slaves, which was ordered for consideration in secret session.

Mr. Mazyck offered the following resolution, which was ordered for consideration to-morrow, and to be printed :

*Resolved*, That the twenty-ninth section of the first Article of the Constitution of this State does not import that a person holding an office, and receiving pay as such officer, in any corps of men taken from the militia of the State into the military service of the Confederate States by drafting, volunteering or conscription, is thereby rendered ineligible to a seat in the Legislature, or incapable of retaining such seat.

Mr. Mazyck offered the following resolution, which was ordered for consideration to-morrow, and to be printed :

*Resolved*, That laws purporting to arrest or suspend the enforcement of contracts by legal process, are laws impairing the obligation of contracts within the meaning of the second section of the ninth Article of the Constitution of this State, and the first clause of the tenth section of the first Article of the Constitution of the Confederate States.

Mr. Henderson presented the report of the Central Secretary to the Colleton Commission for the removal of negroes, which was ordered for consideration in secret session.

#### GENERAL ORDERS.

The Convention resumed the consideration of the Report of the Special Committee of Twenty-one.

The motion to strike out certain words in the fourth paragraph, made by Mr. E. M. Seabrook, was not agreed to.

Mr. Evans moved to amend the second paragraph of the report, by inserting after the word "proceedings" the following:

"Particularly in drafting for State service, those liable under the Conscrip't law of the Confederate States:

"Their expression of objection to the Conscrip't law on constitutional grounds:

"Their conflict with Confederate authority as to exempts: and

"The appointment of officers to the command of troops called into State service."

The amendment was not agreed to.

### SPECIAL ORDER.

On motion of Mr. Phillips, the Convention proceeded to the consideration of the Report of the majority of the Special Committee of Seven, on an Ordinance to repeal "An Ordinance for strengthening the Executive Department during the exigencies of the present war," and for other purposes; and on a petition from citizens of Marlboro' District, praying a dissolution of the Convention; and the Report of the minority of the same Committee on the same subjects, which had been made the special order of the day for this day at twelve o'clock, M.; and, on motion of Mr. F. D. Richardson, the special order was discharged, and was made the special order of the day for this day at two o'clock, P. M.

The General Orders were resumed.

The Report of the Special Committee of Twenty-one was agreed to, and on motion of Mr. Barnwell, it was ordered that 2,000 copies of the report, together with the reports of the heads of Departments, be printed for distribution.

On motion of Mr. Pope, it was ordered that the reports of the sub-committees be printed in connection with the report of the Special Committee of twenty-one.

The General Orders were suspended, and Mr. Atkinson offered the following resolutions, which were ordered for consideration to-morrow, and to be printed:

*Resolved*, That in the opinion of this Convention, the abandonment of the fortifications at the entrance to Georgetown, by which the enemy has already effected a lodgment on North Island, and obtained control of the water courses in that District, seriously exposes the interior of the State to invasion.

*Resolved*, That whilst they highly appreciate the efforts which have already by the Governor and Council been made to counteract the ill effects of said abandonment, it is the opinion of this body that the Governor and Council should forthwith renew their earnest efforts with President Davis and the Confederate General commanding in South Carolina, by which it may be *impressed* upon those authorities that these are appeals not only in behalf of the mere *local interests* of said District (important as those interests most undoubtedly are), but on behalf of the interests of the *whole State*, which it is conceived has been thus vitally exposed; and that the same be done with a view to the *reëstablishment* of our *control* of those water courses during the present pause which has been superinduced in the operations of the enemy along our coast.

The General Orders were resumed.

The report of the Committee on Accounts on the account of W. H. Trimmier, for advertising done for the Governor and Council; and

The report of the same Committee on the account of W. H. Trimmier, for advertising the calls of the Convention, were agreed to.

Mr. Curtis asked and obtained leave to withdraw from the files of the Convention the accounts of W. H. Trimmier, for advertising done for the Governor and Council.

On motion of Mr. Dunkin, leave of absence was granted to Mr. Crawford, who was unable to attend in consequence of wounds received in battle.

### SPECIAL ORDER.

On motion of Mr. Reed, the Convention proceeded to the consideration of the Report of the majority of the Special Committee of Seven on an Ordinance to repeal "An Ordinance for strengthening the Executive Department during the exigencies of the present War;" and on the petition of citizens of Marlboro'; and

The Report of the minority of the same Committee on the same subjects; which had been made the special order of the day for this day, at two o'clock, P. M.

Mr. Inglis offered the following amendment:

*We, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the "Ordinance for Strengthening the Executive Department*

during the exigencies of the present War," ratified in Convention on the —— day of January, A. D., 1862, shall be amended as follows:

SEC. 1. The term of office of those members of the Executive Council who were chosen by this Convention shall expire on the second Monday in December next, and the vacancies thus occurring shall be filled by the General Assembly, by joint ballot of the two houses, any free white adult male citizen being eligible, and a majority of all the votes cast being necessary to an election.

SEC. 2. The Governor shall communicate to the General Assembly, on the first day of the next session thereof, full information concerning the transactions of the Council from the first day of the present session of this Convention until the time of the said communication, and also of the condition of every Department, and shall lay before the General Assembly, the record of all the proceedings of the Governor and Council during the same time. This communication shall especially inform the General Assembly of every instance in which any act of the General Assembly has been or shall have been, prior to that time, modified or suspended by the action of the Governor and Council, and the reasons therefor, and the General Assembly shall have authority to review, repeal or modify such proceedings of the Governor and Council, or any of them, as to it shall seem proper.

SEC. 3. The General Assembly shall have power to modify the constitution of the Executive Council, by reducing the number thereof, or restricting the powers conferred thereupon by the Ordinance of this Convention, or wholly to abolish the said Executive Council.

SEC. 4. This Convention shall cease and be dissolved upon the expiration of two full years from the date of its original organization, to wit, on the seventeenth day of December next, at twelve o'clock, noon, but may in the meantime be assembled upon the call of the President, or in case of his death or absence from the State, or in case of his inability to act, by the Committee of Five appointed at the last session of this Convention for this purpose, or by a majority of them, or the survivors or survivor of such majority, and *shall* be assembled upon the united demand in writing of a majority of the members of this Convention at the time of such demand.

Mr. Hayne offered the following amendment:

#### AN ORDINANCE

To amend an Ordinance entitled "An Ordinance for strengthening



the Executive Department during the exigencies of the present War," and to provide for the dissolution of this Convention :

SEC. 1. *We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That an Ordinance entitled "An Ordinance for strengthening the Executive Department, during the exigencies of the present war," shall, from and after the — day of December next, be amended as follows :*

In section first, instead of the words "shall be otherwise ordained by the People in Convention," insert the words "shall be otherwise enacted by the General Assembly of the State," and instead of the words "three other citizens of the State, to be chosen by this Convention by ballot," insert "two other citizens of the State, to be elected by joint ballot of the two houses of the General Assembly."

In section second, instead of the words "to make all such nominations and appointments to military offices as the Governor has heretofore been authorized to make," insert the words "to make in their discretion all such nominations and appointments to military offices as shall not be otherwise ordered by the General Assembly;" and instead of the words "until the next meeting of the people in Convention," insert the words, "until the next meeting of the General Assembly," and instead of the words "three members thereof, chosen by the Convention," insert the words "two members thereof, elected by the General Assembly."

In section seven, instead of the words "this Convention" and "the Convention," insert "the General Assembly."

In section eight, instead of the words "the Special Private Secretary of the Governor shall be their Secretary without additional pay," insert the words "they shall appoint a Secretary with such salary as may be designated by the General Assembly."

In section nine, strike out the words "within seven days after the adjournment of the present sitting of the Convention."

In section ten, instead of the words "an annual salary of two thousand dollars," insert the words "such salary as may be fixed by the General Assembly."

SEC. 2. Section eleven of said Ordinance, from and after the said — day of December, shall be and it is hereby repealed, provided the General Assembly is then in session; and on the same day, under the same proviso, the Offices of the present members of the Executive Council shall cease and determine, and the President of this Conven-



tion is authorized and instructed, on that day, provided the General Assembly be in session, by Proclamation, to declare this Convention adjourned *sine die*, and forever dissolved..

Mr. Harllee offered the following amendment :

Strike out in section one, after word "empowered," to the word "war," in twelfth line inclusive, and insert :

"To pass laws to strengthen the Executive Department to the extent of the powers, and no further, entrusted to the Governor and Council by "an Ordinance of this Convention for strengthening the Executive Department during the exigencies of the present war," ordained the ——— day of January last; and that the General Assembly in conferring those powers, be authorized at their discretion to confer them jointly on the Governor and a Council to be elected by joint ballot, or on the Governor individually."

Mr. E. M. Seabrook offered the following amendment :

That until the present war between the Confederate States of America and the United States shall have been terminated, and the forces raised in this State for the prosecution thereof shall have been disbanded, or until it shall be otherwise ordained by the People in Convention, or by an Act of the Legislature, passed by a two-thirds vote, the Governor shall be assisted as hereinafter directed, in the discharge of the duties imposed; and in the exercise of the powers conferred upon him under the Constitution and laws of this State, by a Council, to be called the Advisory Executive Council, which shall consist of the Lieutenant Governor, and three other citizens of the State, to be chosen by the Legislature of the State by joint ballot, a majority of the votes cast at such election being necessary to a choice.

That it shall be the duty of the Council, when required by the Governor, to advise with him in all matters which he may submit to their consideration, and that a record of such consultations shall be kept, and submitted to the Legislature by the Governor at its sessions: *Provided*, however, that the Governor shall, in all cases, decide upon his own action.

On motion of Mr. Pope, all the amendments were ordered to be printed.

On motion of Mr. Inglis, the special order was discharged, and was

made the special order of the day for to-morrow, at eleven o'clock, A. M.

Mr. DeSaussure offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Rev. Dr. B. M. Palmer be requested to deliver a Discourse before this Convention on Thursday, the 18th of September, if the Convention shall then be in session, being the day upon which the President of the Confederate States has, by Proclamation, invited the good people thereof to assemble together to return thanks to Almighty God for His manifold mercies to this Confederacy, displayed in the signal victories over the enemy which have recently crowned our arms.

On motion of Mr. Pope, the Convention was adjourned at fifty minutes past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## TUESDAY, SEPTEMBER 16, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. J. M. Timmons.

The Clerk called the roll, and the following delegates answered to their names :

Messrs. Allison,  
Atkinson,  
Barnwell,  
Barton,  
Beaty,  
Bethea,  
Bonneau,  
Boswell,  
Brabham,  
Brown, A. H.

Messrs. Brown, C. P.  
Cain,  
Caldwell,  
Calhoun,  
Campbell,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Curtis,

Messrs. Darby,  
Dozier,  
Dunkin,  
Dunovant, R. G. M  
DuPre,  
Evans,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Garlington,  
Gist,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kinard,  
Kinsler,  
Lawton,  
Logan,  
McKee,  
McLeod,  
Manning,

Messrs. Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Heaf,  
Palmer,  
Phillips,  
Porcher,  
Preston,  
Quattlebaum,  
Reed,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robertson,  
Scott,  
Seabrook, E. M.  
Seabrook, G. W.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Sims,  
Smith, J. J. P.  
Smith, Thomas  
Smyly,  
Spain,  
Springs,  
Stephens,  
Stokes,  
Sullivan,  
Taylor,  
Timmons,

Messrs Tompkins,  
 Wannamaker,  
 Wardlaw,  
 Wier,  
 Williams,

Messrs. Wilson, I. D.  
 Wilson, J. II.  
 Woods,  
 Young.

The journal of yesterday's proceedings was read.

Mr. Allison presented the report of the Committee on Accounts on the account of C. P. Pelham, which was considered immediately, and was agreed to.

Mr. DeSaussure presented the account of R. W. Gibbes for advertising, which was referred to the Committee on Accounts.

Mr. Allison offered the following resolutions, which were considered immediately, and were agreed to:

*Resolved*, That the President of this Convention is authorized and directed to issue his warrants upon the Treasury in usual form, for the payment of all sums of money allowed by this Convention not otherwise directed.

*Resolved*, That the Members, Clerk, Messenger, Doorkeeper, Solicitor and Engrossing Clerks of this Convention receive, severally, as compensation for their services during the present sitting thereof, the same rate of payment in proportion to the time they serve, as is allowed the members and the same officers of the House of Representatives of this State.

*Resolved*, That the President of the Convention be authorized and directed to draw his warrant upon the Treasury, for whatever sum may be reported to him by the Clerk, as due for stationery and any expenses incidental to his office not otherwise directed to be paid by the Convention.

Mr. Kinard presented the account of R. H. Greneker for advertising, which was referred to the Committee on Accounts.

#### GENERAL ORDERS.

The report of the Committee on Accounts on the account of the Yorkville Enquirer, was agreed to.

#### SPECIAL ORDER.

On motion of Mr. Reed, the Convention proceeded to the considera-



tion of the report of the majority of the Special Committee of Seven, on an Ordinance to repeal "An Ordinance for strengthening the Executive Department during the exigencies of the present war;" and on the petition of citizens of Marlboro' ;

And the report of the minority of the same Committee on the same subjects; which had been made the special order of the day for this day at eleven o'clock, A. M.

Mr. Reed moved that the amendment offered by Mr. Inglis, and the amendment offered by Mr. Hayne, be ordered to lie on the table.

The motion was not agreed to.

Mr. Hayne withdrew his amendment.

On motion of Mr. Inglis, the word "shall," in the first section of the amendment offered by Mr. Inglis, was stricken out, and the word "may" inserted.

On motion of Mr. J. J. P. Smith, the Convention was adjourned at forty-five minutes past three o'clock, P. M.

• B. F. ARTHUR,  
*Clerk of the Convention.*

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WEDNESDAY, SEPTEMBER 17, 1862.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. B. F. Mauldin.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Allison,

Alston,

Atkinson,

Barnwell,

Bartou,

Beaty,

Bethea,

Bonneau,

Boswell,

Brabham,

Messrs. Brown, A. H.

Brown, C. P.

Cain,

Caldwell,

Calhoun,

Campbell,

Caughman,

Cauthen,

Charles,

Cheves,



Messrs. Clarke,  
Curtis,  
Darby,  
Davant,  
DeSaussure,  
Dozier,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
DuPre,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Harlee,  
Harrison,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,

Messrs. Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Logan,  
McKee,  
McLeod,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Middleton, John Izard  
Middleton, Williams  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Perrin,  
Phillips,  
Pope,  
Porcher,  
Preston,  
Quattlebaum,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Robertson,  
Scott,  
Sessions,  
Simons,  
Simpson,  
Sims,  
Smith, J. J. P.  
Smith, Thomas  
Smyly,  
Spain,

Messrs. Springs,  
Stephens,  
Stokes,  
Sullivan,  
Taylor,  
Timmons,  
Tompkins,  
Wagner,

Messrs. Wannamaker,  
Wardlaw,  
Wier,  
Williams,  
Wilson, J. H.  
Woods,  
Young.

The journal of yesterday's proceedings was read.

Mr. Reed offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved unanimously,* That the thanks of this Convention are eminently due, and are hereby tendered, to the South Carolina soldiers, officers and privates, in the Confederate Army, for the patriotic gallantry with which they responded to the call of their country, and for the characteristic courage and energy with which they have borne aloft the Palmetto Banner on the bloody battle fields of Virginia, South Carolina and elsewhere, to the imperishable glory and honor of themselves and their State. •

*Resolved unanimously,* That this Convention begs, most sincerely, to mingle its sympathies with the relatives and friends of those who have fallen in the service of their country, whether in battle, amidst the clangor of arms, from wounds received in battle, from disease, or from accident; and that the Executive authority of this State be requested to collect the names of all such, and have them transcribed into a suitable Record Book, designating the corps to which they belonged, their rank in the service, and the cause of death, to be preserved amongst the archives of the State, as a token of respect to their memories, and a legacy of inestimable value to their friends. •

*Resolved unanimously,* That the children who have been, and may hereafter be, made orphans, by the fall of their fathers in defending their country against the invasion and devastation of a relentless and cruel enemy, are preëminently the children of the State, and it is the duty of the constituted authorities to provide, as far as practicable, for their sustenance and education, and for training them up in such way that the State, in future years, "when asked for her jewels, may point to her sons," the offspring of fathers who fell gallantly defending the liberties of their country.

*Resolved unanimously,* That a copy of these resolutions be trans-

mitted by the Clerk of the Convention to officers commanding regiments, battalions and companies of South Carolina troops, with a request that they be communicated to their respective commands.

Mr. Kinsler presented the account of Theodore Stárk, for services rendered to the Convention, which was referred to the Committee on Accounts.

Mr. Kinsler offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That Maj. Theodore Stark be allowed the same pay per diem as members of this body, for his services as Librarian.

Mr. Quattlebaum offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*; That the two thousand extra copies of the report of the Special Committee of Twenty-one on the communication of his Excellency the Governor and the accompanying documents ordered to be printed, be taken charge of by the Clerk of the Convention as soon as the work is finished, and that he send the same pro rata to the several members of this body for general distribution.

Mr. Allison, from the Committee on Accounts, made reports

On the account of R. W. Gibbes; and

On the account of R. H. Grencker; which were considered immediately, and were agreed to.

### SPECIAL ORDER.

The Convention proceeded to the consideration of the report of the majority of the Special Committee of Seven, on an Ordinance to repeal "An Ordinance for strengthening the Executive Department during the exigencies of the present War;" and on the petition of citizens of Marlboro' ;

And the report of the minority of the same Committee on the same subjects; which had been made the special order of the day for this day.

Mr. F. D. Richardson moved that the report of the minority of the Committee be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 99; nays, 25.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and	
Messrs. Alston,	Messrs. Green,
Atkinson,	Gregg, William
Barnwell,	Hanckel,
Barton,	Harrison,
Bobo,	Henderson,
Bonneau,	Honour,
Brabham,	Inglis,
Brown, A. H.	Jackson,
Brown, C. P.	Jefferies,
Burnet,	Jenkins, John
Cain,	Jenkins, J. E.
Caldwell,	Kinard,
Campbell,	Landrum,
Carroll,	Lawton,
Caughman,	Logan,
Cauthen,	McCrary,
Charles,	McKee,
Cheves,	McLeod,
Clarke,	Manigault,
Curtis,	Mauldin,
Darby,	Maxwell,
Davant,	Mayes,
DeSaussure,	Mazyck,
Dozier,	Middleton, John Izard
Duncan,	Middleton, Williams
Dunkin,	Moore,
DuPre,	Moorman,
English,	Nowell,
Fair,	O'Hear,
Finley,	Palmer,
Flud,	Perrin,
Frampton,	Poreher,
Furman,	Preston,
Garlington,	Quattlebaum,
Gourdin, R. N.	Rhett,
Gourdin, T. L.	Rhodes,



Messrs. Richardson, F. D.  
Robertson,  
Scott,  
Seabrook, G. W.  
Sessions,  
Simpson,  
Sims,  
Smith, J. J. P.  
Smith, Thomas  
Spain,  
Springs,  
Stephens,  
Stokes,

Messrs. Taylor,  
Timmons,  
Tompkins,  
Townsend,  
Wagner,  
Wannamaker,  
Wardlaw,  
Wier,  
Williams,  
Wilson, I. D.  
Wilson, J. H.  
Woods,  
Young.

Those who voted in the negative, are

Messrs. Allison,  
Beaty,  
Bethea,  
Boswell,  
Calhoun,  
Dunovant, R. G. M.  
Evans;  
Foster,  
Geiger,  
Goodwin,  
Grisham,  
Hopkins,  
Hunter,

Messrs. Johnson,  
Manning,  
Noble,  
Phillips,  
Pope,  
Reed,  
Richardson, J. P.  
Seabrook, E. M.  
Shingler, W. P.  
Simons,  
Smyly,  
Sullivan.

So the motion was agreed to.

Mr. A. H. Brown moved that the report of the majority of the Committee and the amendments be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 38; nays, 88.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Alston,  
Barnwell,  
Brown, A. H.

Messrs. Brown, C. P.  
Burnet,  
Caldwell,



Messrs. Campbell,	Messrs. Middleton, Williams
Caughman,	Moore,
Cheves,	Nowell,
Curtis,	O'Hear,
Davant,	Perrin,
DeSaussure,	Preston,
Dozier,	Quattlebaum,
DuPre,	Rhett,
Frampton,	Rhodes,
Gourdin, R. N.	Smith, J. J. P.
Henderson,	Stephens,
Honour,	Taylor,
Inglis,	Towusend,
Jackson,	Wagner,
McKee,	Williams,
Middleton, John Izard	Wilson, J. H.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and	
Messrs. Allison,	Messrs. Evans,
Atkinson,	Fair,
Barton,	Finley,
Beaty,	Flud,
Bethca,	Foster,
Bobo,	Furman,
Bonneau,	Garlington,
Boswell,	Geiger,
Brabham,	Goodwin,
Cain,	Gourdin, T. L.
Calhoun,	Green,
Carroll,	Gregg, William
Cauthen,	Grisham,
Charles,	Hanckel,
Clarke,	Harlee,
Darby,	Harrison,
Duncan,	Hopkins,
Dunkin,	Hunter,
Dunovant, R. G. M.	Hutson,
English,	Jefferies,

Messrs. Jenkins, John  
 Jenkins, J. E.  
 Johnson,  
 Kinard,  
 Landrum,  
 Lawton,  
 Logan,  
 McCrady,  
 McLeod,  
 Manigault,  
 Manning,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Mazyck,  
 Moorman,  
 Noble,  
 Palmer,  
 Phillips,  
 Pope,  
 Porcher,  
 Reed,  
 Richardson, F. D.  
 Richardson, J. P.

Messrs. Robertson,  
 Scott,  
 Seabrook, E. M.  
 Seabrook, G. W.  
 Sessions,  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Sims,  
 Smith, Thomas  
 Smyly,  
 Spain,  
 Springs,  
 Stokes,  
 Sullivan,  
 Timmons,  
 Tompkins,  
 Wannamaker,  
 Wardlaw,  
 Wier,  
 Wilson, I. D.  
 Woods,  
 Young.

So the motion was not agreed to.

Mr. Fair moved that the amendment offered by Mr. Inglis be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 36; nays, 89.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are

Messrs. Allison,  
 Bethea,  
 Brabham,  
 Calhoun,  
 Dunovant, R. G. M.  
 Evans,  
 Fair,

Messrs. Finley,  
 Foster,  
 Garlington,  
 Geiger,  
 Goodwin,  
 Grisham,  
 Harlee,

Messrs. Hopkins,  
 Hunter,  
 Johnson,  
 Lawton,  
 Manning,  
 Noble,  
 Palmer,  
 Phillips,  
 Pope,  
 Reed,  
 Rhodes,

Messrs. Richardson, F. D.  
 Richardson, J. P.  
 Seabrook, E. M.  
 Shingler, W. P.  
 Smyly,  
 Springs,  
 Sullivan,  
 Townsend,  
 Wilson, I. D.  
 Woods,  
 Young.

Those who voted in the negative, are

Hon. D. F. JAMISON, President; and

Messrs. Alston,  
 Atkinson,  
 Barnwell,  
 Barton,  
 Beaty,  
 Bobo,  
 Bonneau,  
 Boswell,  
 Brown, A. H.  
 Burnet,  
 Cain,  
 Caldwell,  
 Campbell,  
 Carroll,  
 Caughman,  
 Cauthen,  
 Charles,  
 Cheves,  
 Clarke,  
 Curtis,  
 Darby,  
 Davant,  
 DeSaussure,  
 Dozier,  
 Duncan,

Messrs. Dunkin,  
 DuPre,  
 English,  
 Flud,  
 Frampton,  
 Furman,  
 Gourdin, R. N.  
 Gourdin, T. L.  
 Green,  
 Gregg, William  
 Hanckel,  
 Harrison,  
 Henderson,  
 Honour,  
 Hutson,  
 Inglis,  
 Jackson,  
 Jefferies,  
 Jenkins, John  
 Jenkins, J. E.  
 Kinard,  
 Landrum,  
 Logan,  
 McCrady,  
 McKee,

Messrs. McLeod,  
 Manigault,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Mazyck,  
 Middleton, John Izard  
 Middleton, Williams  
 Moore,  
 Moorman,  
 Nowell,  
 O'Hear,  
 Perrin,  
 Porcher,  
 Preston,  
 Quattlebaum,  
 Rhett,  
 Robertson,  
 Scott,

Messrs. Scabrook, G. W.  
 Sessions,  
 Simons,  
 Simpson,  
 Sims,  
 Smith, J. J. P.  
 Smith, Thomas  
 Spain,  
 Stephens,  
 Stokes,  
 Taylor,  
 Timmons,  
 Tompkins,  
 Wagner,  
 Wannamaker,  
 Wardlaw,  
 Wier,  
 Williams,  
 Wilson, J. H.

So the motion was not agreed to.

Mr. A. H. Brown moved to amend the amendment by striking out, in the third section thereof, the words "or wholly to abolish the said Executive Council."

The motion was not agreed to.

Mr. A. H. Brown moved to strike out, in the first section of the amendment, the word "may," and insert "shall."

The motion was not agreed to.

Mr. Evans moved to strike out, in the first section of the amendment, the words "second Monday in December," and insert "fourth Monday in November."

The motion was not agreed to.

Mr. Pope moved to amend by striking out all of the fourth section of the amendment, after the words "expiration of;" and insert "of its present session."

Mr. Mazyck moved that the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 100    nays, 23.

The yeas and nays were demanded, and are as follows:  
Those who voted in the affirmative, are

Hon. D. F. JAMISON, President; and

Messrs.		Messrs.	
Alston,		Gourdin, R. N.	
Atkinson,		Gourdin, T. L.	
Barnwell,		Green,	
Barton,		Gregg, William	
Beaty,		Hanckel,	
Bobo,		Harrison,	
Bonneau,		Henderson,	
Boswell,		Honour,	
Brown, A. H.		Hutson,	
Brown, C. P.		Inglis,	
Burnet,		Jackson,	
Cain,		Jefferies,	
Caldwell,		Jenkins, John	
Campbell,		Jenkins, J. E.	
Carroll,		Kinard,	
Caughman,		Landrum,	
Cauthen,		Lawton,	
Charles,		Logan,	
Cheves,		McCrady,	
Clarke,		McKee,	
Curtis,		McLeod,	
Darby,		Manigault,	
Davant,		Maxwell,	
DeSaussure,		Mayes,	
Dozier,		Mazyek,	
Duncan,		Middleton, J. Izard	
Dunkin,		Middleton, Williams	
Dunovant, R. G. M.		Moore,	
DuPre,		Moorman,	
English,		Noble,	
Fair,		Nowell,	
Finley,		O'Hear,	
Flud,		Palmer,	
Frampton,		Perrin,	
Furman,		Poreher,	
Garlington,		Preston,	



Messrs Quattlebaum,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Robertson,  
Scott,  
Seabrook, G. W.  
Simpson,  
Sims,  
Smith, J. J. P.  
Smith, Thomas  
Spain,  
Springs,  
Stephens,

Messrs. Stokes,  
Taylor,  
Timmons,  
Tompkins,  
Townsend,  
Wagner,  
Wannamaker,  
Wardlaw,  
Wier,  
Williams,  
Wilson, J. H.  
Woods,  
Young.

Those who voted in the negative, are

Messrs. Allison,  
Betha,  
Brabham,  
Calhoun,  
Evans,  
Foster,  
Geiger,  
Goodwin,  
Grisham,  
Hopkins,  
Hunter,  
Manning,

Messrs. Mauldin,  
Phillips,  
Pope,  
Reed,  
Richardson, J. P.  
Seabrook, E. M.  
Sessions,  
Shingler, W. P.  
Smyly,  
Sullivan,  
Wilson, I. D.

So the motion was agreed to.

Mr. Hayne moved to strike out in the first section of the amendment the word "second," and insert "first."

On motion of Mr. Timmons, the amendment was ordered to lie on the table.

On motion of Mr. McCrady, the third section of the amendment was amended by inserting after the word "power" the words "by Act of Assembly."

Mr. F. D. Richardson offered the following amendment:

That nothing contained in the Ordinances of this Convention shall

be so construed as to authorize the Governor and Council hereafter to appoint either field or company officers of the militia or of any portion thereof which may be employed in the public service, unless the regiment, battalion or company so designed to be formed shall decline or refuse to elect when so ordered by the proper authorities.

The amendment was not agreed to.

On motion of Mr. McCrady, the vote by which the words "by Act of Assembly" were inserted in the third section of the amendment, was reconsidered; and on motion of Mr. McCrady, the words "by Act of Assembly" were stricken out, and the words "by Act of the Legislature" were inserted.

On motion of Mr. Inglis, the blank in the amendment offered by Mr. Inglis was filled with the word "seventh."

On motion of Mr. Wardlaw, the preamble and the resolutions reported by the Committee were ordered to lie on the table.

On motion, all after the ordaining words in the Ordinance reported by the Committee was stricken out, the amendment offered by Mr. Inglis was inserted, and the Ordinance as amended was agreed to, was ordered to be engrossed, and to be signed by the President and the Clerk.

Mr. Simons offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That it be referred to the Committee on the Constitution to inquire and report whether there are any Ordinances or changes in the fundamental Constitution enacted by this body, which should now be modified or repealed.

On motion of Mr. Wardlaw, Messrs. McCrady, Simons, and DeSaussure were added to the Committee on the Constitution.

On motion of Mr. Campbell, business was suspended at forty-five minutes past three o'clock, until half past seven o'clock, P. M.

#### RECESS.

The President resumed the chair.

The President read the following communication, which, on motion of Mr. DeSaussure, was ordered to lie on the table:

COLUMBIA, September 17, 1862.

TO MR. B. F. ARTHUR,

*Clerk of Convention:*

MY DEAR SIR: I regret that your note of the 15th, transmitting a

resolution of the Convention, did not reach me in season to allow a reply before the close of its session on yesterday.

It will afford me great pleasure to comply with the request of the Convention, to deliver before it a Discourse on to-morrow, the 18th instant, at any hour to which that body may see fit to adjourn. You will oblige me by submitting this reply before the Convention in any form that may be proper.

Very respectfully yours,

B. M. PALMER.

Mr. Allison presented the report of the Committee on Accounts on the account of Theo. Stark, which was considered immediately, and was agreed to.

### GENERAL ORDERS.

The resolutions offered by Mr. Mazyek were withdrawn.

Resolutions (by Mr. Atkinson) were agreed to.

On motion of Mr. Mazyek, the Convention went into

### SECRET SESSION.

The report of the Commission for Beaufort District for the removal of slaves;

The report of the Commission for the City of Charleston;

The report of the Commission for Charleston District;

The report of the Central Secretary to the Commission for Georgetown District; and

The report of the Central Secretary to the Commission for Colleton District; were received as information.

The report of the Committee on Accounts on the report of the Central Secretary to the Commission for Beaufort, was agreed to.

Mr. Simons presented the report of the Committee on Engrossed Ordinances on certain resolutions of inquiry as to what portions of the journals, resolutions and Ordinances of the Convention may now be made public, &c.; which was considered immediately, and was agreed to.

Mr. Simons offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the injunction of secrecy be removed from all the proceedings and transactions of this Convention at its present session,

except the correspondence marked No. 4, and the telegrams accompanying it; and that the same be printed and distributed as is recommended in the Report of the Committee on Engrossed Ordinances in reference to the proceedings and transactions of this body at its previous sessions.

On motion of Mr. Mazyek, the doors were opened.

Mr. Wardlaw, from the Committee on the Constitution, made a report, and reported an Ordinance to give to the General Assembly power in reference to certain Ordinances and resolutions of this Convention; which was read, was agreed to, was ordered to be engrossed, and to be signed by the President and the Clerk.

The report of the Committee was agreed to.

Mr. Harlee offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the seal of secrecy be removed from the journals of the Executive Council, appointed by this Convention at its first session, commencing on the seventeenth of December, A. D. 1860.

Mr. Chesnut presented the report of the Governor and Council, made under a resolution of the Convention, calling upon them for certain information; and, on motion of Mr. Taylor, it was ordered that the report be received as information, be laid upon the table, and upon the adjournment of the Convention be remanded to the Chief of the Military Department.

Mr. Simons offered the following resolution, which, on motion of Mr. Quattlebaum, was ordered to lie on the table:

*Resolved*, That the President of the Convention be authorized to draw his warrant or warrants on the Treasury for the payment of the Printer of the Convention, for such work as may be performed by him under the orders and direction of the same.

Mr. Simons, from the Committee on Engrossed Ordinances, reported that the following Ordinances have been engrossed, have been signed by the President and the Clerk, and deposited in the office of the Secretary of State; to wit:

An Ordinance to amend an Ordinance for strengthening the Executive Department during the exigencies of the present war; and



An Ordinance to give to the General Assembly power in reference to certain Ordinances and resolutions of this Convention.

On motion of Mr. J. I. Middleton, the Convention resolved itself into a Committee of the Whole, Mr. Dunkin in the chair.

Mr. DeSaussure offered the following resolution, which was agreed to :

*Resolved unanimously*, That the thanks of this Convention be, and the same are hereby, tendered to Hon. D. F. Jamison, for the ability, fidelity and impartiality with which he has discharged the responsible and laborious duties of his high office, and upon parting with him they take great pleasure in leaving upon record this expression of their high respect and esteem.

On motion of Mr. Quattlebaum, the Committee rose, and the Chairman reported to the Convention the resolution adopted by the Committee.

The President said :

#### GENTLEMEN OF THE CONVENTION :

The repeated manifestations of kindness which I have received at the hands of a body of men so distinguished for their gravity, unity of purpose and entire freedom from the influences of popular clamor or selfish interest, have filled me with emotions of gratitude, to which I can give no adequate expression.

To that unity of purpose—the peculiar characteristic of this Convention—much, if not all, of the success of the measures which have emanated from this body may justly be ascribed.

If you had been distracted in your counsels, the moral weight, which gave such impetus to your first great act, would have been wanting; South Carolina would have faltered, no other State would have taken the initiative; the revolution now progressing so gloriously to our arms, would never have commenced; at this moment our necks would have been under the heel of a detested abolition tyrant; our liberties, our property and our lives would have been subject to the will of a base abolition mob, and we could have bequeathed no other inheritance to our children than a legacy of poverty, sorrow and shame.

Connected as you have been with some of the most memorable incidents in the history of South Carolina, it will always be a subject of patriotic pride to me to have been a member of the Convention of 1860.



For this, and all other manifestations of your kindness, permit me, gentlemen, to offer you my most profound acknowledgements, and, in all probability, as a body, we will never meet again, to tender to each of you a grateful adieu.

On motion of Mr. J. I. Middleton, the Convention was adjourned at thirty minutes past nine o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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# APPENDIX :

CONTAINING

REPORTS, RESOLUTIONS, ETC.

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# FIRST SESSION.





AN ACT TO PROVIDE FOR THE CALLING OF A CONVENTION OF THE PEOPLE OF THIS STATE.

1. *Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That a Convention of the People of the State of South Carolina is hereby ordered to be assembled in the City of Columbia, on Monday, the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, for the purpose of taking into consideration the dangers incident to the position of the State in the Federal Union established by the Constitution of the United States, and the measures which may be necessary and proper for providing against the same, and thereupon to take care that the Commonwealth of South Carolina shall suffer no detriment.

2. That on the sixth day of December, in the year of our Lord one thousand eight hundred and sixty, the Managers of Elections for the several Districts in the State shall, after giving public notice as in cases of elections for members of the Legislature, open the polls and hold elections in their respective Districts for Delegates to the said Convention, in all respects in the same manner and form, and at the same places, as elections are now conducted for members of the Legislature. And all persons who are qualified and entitled by the Constitution and Laws of this State to vote for members of the Legislature, shall be qualified and entitled to vote for said Delegates to said Convention; and in case of any vacancy occurring by death, resignation or removal from the State, or refusal to serve, of any person elected a Delegate to the said Convention, the Presiding Officer of the said Convention shall issue his Writ, authorizing and requiring the Managers of Elections in the Election District in which such vacancy may have occurred, after giving due notice thereof, to open a poll and hold an election to fill such vacancy, as in cases for the election of Members of the Legislature. That the Managers in the several Election Districts and Parishes shall meet on Friday, the seventh day of December, in the year of our Lord one thousand eight hundred and sixty, count the votes and declare the election.

3. That each Election District throughout the State shall be entitled

to elect and send to the said Convention a number of Delegates equal to the whole number of Senators and Representatives which such District is now entitled to send to the Legislature, and the Delegates to the said Convention shall be entitled to the same freedom of arrest in going to, returning from, and whilst in attendance on said Convention, as is extended to the members of the Legislature.

4. That all free white male citizens of this State of the age of twenty-one years and upwards, and who are entitled to vote for members of the State Legislature, shall be eligible to a seat in the said Convention.

In the Senate House, the thirteenth day of November, in the year of our Lord one thousand eight hundred and sixty, and in the eighty-fifth year of the sovereignty and independence of the United States of America.

WILLIAM D. PORTER,

*President of the Senate.*

JAMES SIMONS,

*Speaker of the House of Representatives.*

DECLARATION OF THE IMMEDIATE CAUSES WHICH INDUCE AND JUSTIFY THE SECESSION OF SOUTH CAROLINA FROM THE FEDERAL UNION.

The People of the State of South Carolina, in Convention assembled, on the 26th day of April, A. D., 1852, declared that the frequent violations of the Constitution of the United States, by the Federal Government, and its encroachments upon the reserved rights of the States, fully justified this State in then withdrawing from the Federal Union; but in deference to the opinions and wishes of the other slaveholding States, she forbore at that time to exercise this right. Since that time, these encroachments have continued to increase, and further forbearance ceases to be a virtue.

And now the State of South Carolina having resumed her separate and equal place among nations, deems it due to herself, to the remaining United States of America, and to the nations of the world, that she should declare the immediate causes which have led to this act.

In the year 1765, that portion of the British Empire embracing Great Britain, undertook to make laws for the government of that portion composed of the thirteen American Colonies. A struggle for the right of self-government ensued, which resulted, on the 4th of July, 1776, in a Declaration, by the Colonies, "that they are, and of right ought to be, FREE AND INDEPENDENT STATES; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do."

They further solemnly declared that whenever any "form of government becomes destructive of the ends for which it was established, it is the right of the people to alter or abolish it, and to institute a new government." Deeming the Government of Great Britain to have become destructive of these ends, they declared that the Colonies "are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

In pursuance of this Declaration of Independence, each of the thirteen States proceeded to exercise its separate sovereignty; adopted for

itself a Constitution, and appointed officers for the administration of government in all its departments—Legislative, Executive and Judicial. For purposes of defence, they united their arms and their counsels; and, in 1778, they entered into a League known as the Articles of Confederation, whereby they agreed to entrust the administration of their external relations to a common agent, known as the Congress of the United States, expressly declaring, in the first Article “that each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right which is not, by this Confederation, expressly delegated to the United States in Congress assembled.”

Under this Confederation the war of the Revolution was carried on, and on the 3d September, 1783, the contest ended, and a definite Treaty was signed by Great Britain, in which she acknowledged the independence of the Colonies in the following terms:

“ARTICLE 1.—His Britannic Majesty acknowledges the said United States, viz: New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be FREE, SOVEREIGN AND INDEPENDENT STATES; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same and every part thereof.”

Thus were established the two great principles asserted by the Colonies, namely: the right of a State to govern itself; and the right of a people to abolish a Government when it becomes destructive of the ends for which it was instituted. And concurrent with the establishment of these principles, was the fact, that each Colony became and was recognized by the mother Country as a FREE, SOVEREIGN AND INDEPENDENT STATE.

In 1787, Deputies were appointed by the States to revise the Articles of Confederation, and on 17th September, 1787, these Deputies recommended, for the adoption of the States, the Articles of Union, known as the Constitution of the United States.

The parties to whom this Constitution was submitted, were the several sovereign States; they were to agree or disagree, and when nine of them agreed the compact was to take effect among those concurring; and the General Government, as the common agent, was then to be invested with their authority.

If only nine of the thirteen States had concurred, the other four would have remained as they then were—separate, sovereign States,



independent of any of the provisions of the Constitution. In fact, two of the States did not accede to the Constitution until long after it had gone into operation among the other eleven; and during that interval, they each exercised the functions of an independent nation.

By this Constitution, certain duties were imposed upon the several States, and the exercise of certain of their powers was restrained, which necessarily implied their continued existence as sovereign States. But to remove all doubt, an amendment was added, which declared that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people. On 23d May, 1788, South Carolina, by a Convention of her People, passed an Ordinance assenting to this Constitution, and afterwards altered her own Constitution, to conform herself to the obligations she had undertaken.

Thus was established, by compact between the States, a Government, with defined objects and powers, limited to the express words of the grant. This limitation left the whole remaining mass of power subject to the clause reserving it to the States or to the people, and rendered unnecessary any specification of reserved rights.

We hold that the Government thus established is subject to the two great principles asserted in the Declaration of Independence; and we hold further, that the mode of its formation subjects it to a third fundamental principle, namely: the law of compact. We maintain that in every compact between two or more parties, the obligation is mutual; that the failure of one of the contracting parties to perform a material part of the agreement, entirely releases the obligation of the other; and that where no arbiter is provided, each party is remitted to his own judgment to determine the fact of failure, with all its consequences.

In the present case, that fact is established with certainty. We assert that fourteen of the States have deliberately refused, for years past, to fulfil their constitutional obligations, and we refer to their own Statutes for the proof.

The Constitution of the United States, in its fourth Article, provides as follows:

"No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due."

This stipulation was so material to the compact, that without it that



compact would not have been made. The greater number of the contracting parties held slaves, and they had previously evinced their estimate of the value of such a stipulation by making it a condition in the Ordinance for the government of the territory ceded by Virginia, which now composes the States north of the Ohio River.

The same article of the Constitution stipulates also for rendition by the several States of fugitives from justice from the other States.

The General Government, as the common agent, passed laws to carry into effect these stipulations of the States. For many years these laws were executed. But an increasing hostility on the part of the non-slaveholding States to the institution of slavery, has led to a disregard of their obligations, and the laws of the General Government have ceased to effect the objects of the Constitution. The States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Michigan, Wisconsin and Iowa, have enacted laws which either nullify the Acts of Congress or render useless any attempt to execute them. In many of these States the fugitive is discharged from the service or labor claimed, and in none of them has the State Government complied with the stipulation made in the Constitution. The State of New Jersey, at an early day, passed a law in conformity with her constitutional obligation; but the current of anti-slavery feeling has led her more recently to enact laws which render inoperative the remedies provided by her own law and by the laws of Congress. In the State of New York even the right of transit for a slave has been denied by her tribunals; and the States of Ohio and Iowa have refused to surrender to justice fugitives charged with murder, and with inciting servile insurrection in the State of Virginia. Thus the constituted compact has been deliberately broken and disregarded by the non-slaveholding States, and the consequence follows that South Carolina is released from her obligation.

The ends for which this Constitution was framed are declared by itself to be "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These ends it endeavored to accomplish by a Federal Government, in which each State was recognized as an equal, and had separate control over its own institutions. The right of property in slaves was recognized by giving to free persons distinct political rights, by giving them the right to represent, and burthening them with direct taxes for

three-fifths of their slaves; by authorizing the importation of slaves for twenty years; and by stipulating for the rendition of fugitives from labor.

We affirm that these ends for which this Government was instituted have been defeated, and the Government itself has been made destructive of them by the action of the non-slaveholding States. Those States have assumed the right of deciding upon the propriety of our domestic institutions; and have denied the rights of property established in fifteen of the States and recognized by the Constitution; they have denounced as sinful the institution of slavery; they have permitted the open establishment among them of societies, whose avowed object is to disturb the peace and to eloign the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books and pictures to servile insurrection.

For twenty-five years this agitation has been steadily increasing, until it has now secured to its aid the power of the common Government. Observing the *forms* of the Constitution, a sectional party has found within that Article establishing the Executive Department, the means of subverting the Constitution itself. A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be entrusted with the administration of the common Government, because he has declared that that "Government cannot endure permanently half slave, half free," and that the public mind must rest in the belief that slavery is in the course of ultimate extinction.

This sectional combination for the submersion of the Constitution, has been aided in some of the States by elevating to citizenship, persons, who, by the supreme law of the land, are incapable of becoming citizens; and their votes have been used to inaugurate a new policy, hostile to the South, and destructive of its peace and safety.

On the 4th of March next, this party will take possession of the Government. It has announced that the South shall be excluded from the common territory, that the judicial tribunals shall be made sectional, and that a war must be waged against slavery until it shall cease throughout the United States.

The guaranties of the Constitution will then no longer exist; the equal rights of the States will be lost. The slaveholding States will

no longer have the power of self-government, or self-protection, and the Federal Government will have become their enemy.

Sectional interest and animosity will deepen the irritation, and all hope of remedy is rendered vain, by the fact that public opinion at the North has invested a great political error with the sanctions of a more erroneous religious belief.

We, therefore, the People of South Carolina, by our delegates in Convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the Union heretofore existing between this State and the other States of North America, is dissolved, and that the State of South Carolina has resumed her position among the nations of the world, as a separate and independent State; with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

THE ADDRESS OF THE PEOPLE OF SOUTH CAROLINA,  
ASSEMBLED IN CONVENTION, TO THE PEOPLE OF THE  
SLAVEHOLDING STATES OF THE UNITED STATES.

It is seventy-three years since the Union between the United States was made by the Constitution of the United States. During this time, their advance in wealth, prosperity and power has been with scarcely a parallel in the the history of the world. The great object of their Union was defence against external aggression; which object is now attained, from their mere progress in power. Thirty-one millions of people, with a commerce and navigation which explore every sea, and with agricultural productions which are necessary to every civilized people, command the friendship of the world. But unfortunately, our internal peace has not grown with our external prosperity. Discontent and contention have moved in the bosom of the Confederacy for the last thirty-five years. During this time, South Carolina has twice called her people together in solemn Convention, to take into consideration the aggressions and unconstitutional wrongs perpetrated by the people of the North on the people of the South. These wrongs were submitted to by the people of the South, under the hope and expectation that they would be final. But such hope and expectation have proved to be vain. Instead of producing forbearance, our acquiescence has only instigated to new forms of aggression and outrage; and South Carolina, having again assembled her people in Convention, has this day dissolved her connection with the States constituting the United States.

The one great evil, from which all other evils have flowed, is the overthrow of the Constitution of the United States. The Government of the United States is no longer the Government of Confederate Republics, but of a consolidated Democracy. It is no longer a free Government, but a despotism. It is, in fact, such a Government as Great Britain attempted to set over our fathers; and which was resisted and defeated by a seven years' struggle for independence.

The Revolution of 1776 turned upon one great principle, self-government—and self-taxation, the criterion of self-government. Where the interests of two people united together under one Government, are dif-



ferent, each must have the power to protect its interests by the organization of the Government, or they cannot be free. The interests of Great Britain and of the Colonies were different and antagonistic. Great Britain was desirous of carrying out the policy of all nations towards their Colonies, of making them tributary to her wealth and power. She had vast and complicated relations with the whole world. Her policy towards her North American Colonies was to identify them with her in all these complicated relations; and to make them bear, in common with the rest of the Empire, the full burden of her obligations and necessities. She had a vast public debt; she had an European policy and an Asiatic policy, which had occasioned the accumulation of her public debt; and which kept her in continual wars. The North American Colonies saw their interests, political and commercial, sacrificed by such a policy. Their interests required that they should not be identified with the burdens and wars of the mother country. They had been settled under charters, which gave them self-government; at least so far as their property was concerned. They had taxed themselves, and had never been taxed by the Government of Great Britain. To make them a part of a consolidated Empire, the Parliament of Great Britain determined to assume the power of legislating for the Colonies in all cases whatsoever. Our ancestors resisted the pretension. They refused to be a part of the consolidated Government of Great Britain.

The Southern States now stand exactly in the same position towards the Northern States that the Colonies did towards Great Britain. The Northern States, having the majority in Congress, claim the same power of omnipotence in legislation as the British Parliament. "The General Welfare," is the only limit to the legislation of either; and the majority in Congress, as in the British Parliament, are the sole judges of the expediency of the legislation this "General Welfare" requires. Thus, the Government of the United States has become a consolidated Government; and the people of the Southern States are compelled to meet the very despotism their fathers threw off in the Revolution of 1776.

The consolidation of the Government of Great Britain over the Colonies, was attempted to be carried out by the taxes. The British Parliament undertook to tax the Colonies, to promote British interests. Our fathers resisted this pretension. They claimed the right of self-taxation *through their Colonial Legislatures*. They were not represented in the British Parliament, and, therefore, could not rightly be taxed



by its legislation. The British Government however, offered them a representation in Parliament; but it was not sufficient to enable them to protect themselves from the majority, and they refused the offer. Between taxation without any representation, and taxation without a representation adequate to protection, there was no difference. In neither case would the Colonies tax themselves. Hence, they refused to pay the taxes laid by the British Parliament.

And so with the Southern States, towards the Northern States, in the vital matter of taxation. They are in a minority in Congress. Their representation in Congress is useless to protect them against unjust taxation; and they are taxed by the people of the North *for their benefit*, exactly as the people of Great Britain taxed our ancestors in the British Parliament for their benefit. For the last forty years, the taxes laid by the Congress of the United States, have been laid with a view of subserving the interests of the North. The people of the South have been taxed by duties on imports, not for revenue, but for an object inconsistent with revenue—to promote, by prohibitions, Northern interests in the productions of their mines and manufactures.

There is another evil, in the condition of the Southern towards the Northern States, which our ancestors refused to bear towards Great Britain. Our ancestors not only taxed themselves, but all the taxes collected from them, were expended amongst them. Had they submitted to the pretensions of the British Government, the taxes collected from them would have been expended in other parts of the British Empire. They were fully aware of the effect of such a policy in impoverishing the people from whom taxes are collected, and in enriching those who receive the benefit of their expenditure. To prevent the evils of such a policy, was one of the motives which drove them on to revolution. Yet this British policy has been fully realized towards the Southern States by the Northern States. The people of the Southern States are not only taxed for the benefit of the Northern States, but after the taxes are collected, three-fourths of them are expended at the North. This cause, with others, connected with the operation of the General Government, has made the cities of the South provincial. Their growth is paralyzed; they are mere suburbs of Northern cities. The agricultural productions of the South are the basis of the foreign commerce of the United States; yet Southern cities do not carry it on. Our foreign trade is almost annihilated. In 1740, there were five ship yards in South Carolina, to build ships to carry on our direct trade with Europe. Between 1740 and 1779, there were

built in these yards, twenty-five square rigged vessels, besides a great number of sloops and schooners, to carry on our coast and West India trade. In the half century immediately preceding the Revolution, from 1725 to 1775, the population of South Carolina increased seven-fold.

No man can, for a moment, believe that our ancestors intended to establish over their posterity, exactly the same sort of Government they had overthrown. The great object of the Constitution of the United States, in its internal operation, was, doubtless, to secure the great end of the Revolution—a limited free Government—a Government limited to those matters only, which were general and common to all portions of the United States. All sectional or local interests were to be left to the States. By no other arrangement would they obtain free Government, by a Constitution common to so vast a Confederacy. Yet, by gradual and steady encroachments on the part of the people of the North, and acquiescence on the part of the South, the limitations in the Constitution have been swept away; and the Government of the United States has become consolidated, with a claim of limitless powers in its operations.

It is not at all surprising, such being the character of the Government of the United States, that it should assume to possess power over all the institutions of the country. The agitations on the subject of slavery are the natural results of the consolidation of the Government. Responsibility follows power; and if the people of the North have the power by Congress "to promote the general welfare of the United States," by any means they deem expedient—why should they not assail and overthrow the institution of slavery in the South? They are responsible for its continuance or existence, in proportion to their power. A majority in Congress, according to their interested and perverted views, is omnipotent. The inducements to act upon the subject of slavery, under such circumstances, were so imperious, as to amount almost to a moral necessity. To make, however, their numerical power available to rule the Union, the North must consolidate their power. It would not be united, on any matter common to the whole Union—in other words, on any constitutional subject—for on such subjects divisions are as likely to exist in the North as in the South. Slavery was strictly a sectional interest. If this could be made the criterion of parties at the North, the North could be united in its power; and thus carry out its measures of sectional ambition, encroachment and aggrandizement. To build up their sectional predominance

in the Union, the Constitution must be first abolished by constructions ; but that being done, the consolidation of the North, to rule the South, by the tariff and slavery issues, was in the obvious course of things.

The Constitution of the United States was an experiment. The experiment consisted in uniting under one Government, peoples living in different climates, and having different pursuits and institutions. It matters not how carefully the limitations of such a Government be laid down in the Constitution—its success must, at least, depend upon the good faith of the parties to the constitutional compact, in enforcing them. It is not in the power of human language to exclude false inferences, constructions and perversions, in any Constitution ; and when vast sectional interests are to be subserved, involving the appropriation of countless millions of money, it has not been the usual experience of mankind, that words on parchments can arrest power. The Constitution of the United States, irrespective of the interposition of the States, rested on the assumption that power would yield to faith—that integrity would be stronger than interest ; and that thus, the limitations of the Constitution would be observed. The experiment has been fairly made. The Southern States, from the commencement of the Government, have striven to keep it within the orbit prescribed by the Constitution. The experiment has failed. The whole Constitution, by the constructions of the Northern people, has been absorbed by its preamble. In their reckless lust for power, they seem unable to comprehend that seeming paradox—that the more power is given to the General Government, the weaker it becomes. Its strength consists in the limitation of its agency to objects of common interests to all sections. To extend the scope of its power over sectional or local interests, is to raise up against it opposition and resistance. In all such matters, the General Government must necessarily be a despotism, because all sectional or local interests must ever be represented by a minority in the councils of the General Government—having no power to protect itself against the rule of the majority. The majority, constituted from those who do not represent these sectional or local interests, will control and govern them. A free people cannot submit to such a Government. And the more it enlarges the sphere of its power, the greater must be the dissatisfaction it must produce, and the weaker it must become. On the contrary, the more it abstains from usurped powers, and the more faithfully it adheres to the limitations of the Constitution, the stronger it is made. The Northern people have had

neither the wisdom nor the faith to perceive, that to observe the limitations of the Constitution was the only way to its perpetuity.

Under such a Government, there must, of course, be many and endless "irrepressible conflicts," between the two great sections of the Union. The same faithlessness which has abolished the Constitution of the United States, will not fail to carry out the sectional purposes for which it has been abolished. There must be conflict; and the weaker section of the Union can only find peace and liberty in an independence of the North. The repeated efforts made by South Carolina, in a wise conservatism, to arrest the progress of the General Government in its fatal progress to consolidation, have been unsupported, and she has been denounced as faithless to the obligations of the Constitution, by the very men and States, who were destroying it by their usurpations. It is now too late to reform or restore the Government of the United States. All confidence in the North is lost by the South. The faithlessness of the North for half a century, has opened a gulf of separation between the North and the South which no promises nor engagements can fill.

It cannot be believed, that our ancestors would have assented to any union whatever with the people of the North, if the feelings and opinions now existing amongst them, had existed when the Constitution was framed. There was then no tariff—no fanaticism concerning negroes. It was the delegates from New England who proposed in the Convention which framed the Constitution, to the delegates from South Carolina and Georgia, that if they would agree to give Congress the power of regulating commerce *by a majority*, that they would support the extension of the African Slave Trade for twenty years. African slavery existed in all the States but one. The idea that the Southern States would be made to pay that tribute to their northern confederates which they had refused to pay to Great Britain; or that the institution of African slavery would be made the grand basis of a sectional organization of the North to rule the South, never crossed the imaginations of our ancestors. The Union of the Constitution was a Union of slaveholding States. It rests on slavery, by prescribing a representation in Congress for three-fifths of our slaves. There is nothing in the proceedings of the Convention which framed the Constitution, to show that the Southern States would have formed any other Union; and still less, that they would have formed a Union with more powerful non-slaveholding States, having majority in both branches of the Leg-



islature of the Government. They were guilty of no such folly. Time and the progress of things have totally altered the relations between the Northern and Southern States, since the Union was established. That identity of feelings, interests and institutions which once existed, is gone. They are now divided, between agricultural and manufacturing, and commercial States; between slaveholding and non-slaveholding States. Their institutions and industrial pursuits have made them totally different peoples. That equality in the Government between the two sections of the Union which once existed, no longer exists. We but imitate the policy of our fathers in dissolving a union with non-slaveholding confederates, and seeking a confederation with slaveholding States.

Experience has proved that slaveholding States cannot be safe in subjection to non-slaveholding States. Indeed, no people can ever expect to preserve its rights and liberties, unless these be in its own custody. To plunder and oppress, where plunder and oppression can be practiced with impunity, seems to be the natural order of things. The fairest portions of the world elsewhere, have been turned into wildernesses, and the most civilized and prosperous communities have been impoverished and ruined by anti-slavery fanaticism. The people of the North have not left us in doubt as to their designs and policy. United as a section in the late Presidential election, they have elected as the exponent of their policy, one who has openly declared that all the States of the United States must be made *free States or slave States*. It is true, that amongst those who aided in his election, there are various shades of anti-slavery hostility. But if African slavery in the Southern States be the evil their political combination affirms it to be, the requisitions of an inexorable logic must lead them to emancipation. If it is right to preclude or abolish slavery in a Territory, why should it be allowed to remain in the States? The one is not at all more unconstitutional than the other, according to the decisions of the Supreme Court of the United States. And when it is considered that the Northern States will soon have the power to make that Court what they please, and that the Constitution never has been any barrier whatever to their exercise of power, what check can there be, in the unrestrained counsels of the North, to emancipation? There is sympathy in association, which carries men along without principle; but when there is principle, and that principle is fortified by long existing prejudices and feelings, association is omnipotent in party influences. In spite of all disclaimers and professions, there can be but one end by the sub-



mission of the South to the rule of a sectional anti-slavery government at Washington; and that end, directly or indirectly, must be—the emancipation of the slaves of the South. The hypocrisy of thirty years—the faithlessness of their whole course from the commencement of our union with them, show that the people of the non-slaveholding North are not and cannot be safe associates of the slaveholding South, under a common Government. Not only their fanaticism, but their erroneous views of the principles of free Governments, render it doubtful whether, if separated from the South, they can maintain a free Government amongst themselves. Numbers, with them, is the great element of free Government. A majority is infallible and omnipotent. “The right divine to rule in kings,” is only transferred to their majority. The very object of all Constitutions, in free popular Government, is to restrain the majority. Constitutions, therefore, according to their theory, must be most unrighteous inventions, restricting liberty. None ought to exist; but the body politic ought simply to have a political organization, to bring out and enforce the will of the majority. This theory may be harmless in a small community, having identity of interests and pursuits; but over a vast State—still more, over a vast Confederacy, having various and conflicting interests and pursuits, it is a remorseless despotism. In resisting it, as applicable to ourselves, we are vindicating the great cause of free Government, more important, perhaps, to the world, than the existence of all the United States. Nor in resisting it, do we intend to depart from the safe instrumentality, the system of Government we have established with them, requires. In separating from them, we invade no rights—no interest of theirs. We violate no obligation or duty to them. As separate, independent States in Convention, we made the Constitution of the United States with them; and as separate independent States, each State acting for itself, we adopted it. South Carolina, acting in her sovereign capacity, now thinks proper to secede from the Union. She did not part with her Sovereignty in adopting the Constitution. The last thing a State can be presumed to have surrendered, is her Sovereignty. Her Sovereignty is her life. Nothing but a clear express grant can alienate it. Inference is inadmissible. Yet it is not at all surprising that those who have construed away all the limitations of the Constitution, should also by construction, claim the annihilation of the Sovereignty of the States. Having abolished all barriers to their omnipotence, by their faithless constructions in the operations of the General Government, it is most natural that they should endeavor to do the same towards us in

the States. The truth is, they having violated the express provisions of the Constitution, it is at an end, as a compact. It is morally obligatory only on those who choose to accept its perverted terms. South Carolina, deeming the compact not only violated in particular features, but virtually abolished by her Northern confederates, withdraws herself as a party from its obligations. The right to do so is denied by her Northern confederates. They desire to establish a sectional despotism, not only omnipotent in Congress, but omnipotent over the States; and as if to manifest the imperious necessity of our secession, they threaten us with the sword, to coerce submission to their rule.

Citizens of the slaveholding States of the United States! Circumstances beyond our control have placed us in the van of the great controversy between the Northern and Southern States. We would have preferred that other States should have assumed the position we now occupy. Independent ourselves, we disclaim any design or desire to lead the counsels of the other Southern States. Providence has cast our lot together, by extending over us an identity of pursuits, interests and institutions. South Carolina desires no destiny separated from yours. To be one of a great Slaveholding Confederacy, stretching its arms over a territory larger than any power in Europe possesses—with a population four times greater than that of the whole United States when they achieved their independence of the British Empire—with productions which make our existence more important to the world than that of any other people inhabiting it—with common institutions to defend, and common dangers to encounter—we ask your sympathy and confederation. Whilst constituting a portion of the United States, it has been *your* statesmanship which has guided it, in its mighty strides to power and expansion. In the field, as in the cabinet, *you* have led the way to its renown and grandeur. You have loved the Union, in whose service your great statesmen have labored, and your great soldiers have fought and conquered—not for the material benefits it conferred, but with the faith of a generous and devoted chivalry. You have long lingered in hope over the shattered remains of a broken Constitution. Compromise after compromise, formed by your concessions, has been trampled under foot by your Northern confederates. All fraternity of feeling between the North and the South is lost, or has been converted into hate; and we, of the South, are at last driven together by the stern destiny which controls the existence of nations. Your bitter experience of the faithlessness and rapacity of your Northern confederates may have been necessary to evolve those great princi-

ples of free Government, upon which the liberties of the world depend, and to prepare you for the grand mission of vindicating and reëstablishing them. We rejoice that other nations should be satisfied with their institutions. Contentment is a great element of happiness, with nations as with individuals. We are satisfied with ours. If they prefer a system of industry, in which capital and labor are in perpetual conflict—and chronic starvation keeps down the natural increase of population—and a man is worked out in eight years—and the law ordains that children shall be worked only *ten hours a day*—and the sabre and the bayonet are the instruments of order—be it so. It is their affair, not ours. We prefer, however, our system of industry, by which labor and capital are identified in interest, and capital, therefore, protects labor—by which our population doubles every twenty years—by which starvation is unknown, and abundance crowns the land—by which order is preserved by an unpaid police, and many fertile regions of the world, where the white man cannot labor, are brought into usefulness by the labor of the African, and the whole world is blessed by our productions. All we demand of other peoples is to be left alone, to work out our own high destinies. United together, and we must be the most independent, as we are among the most important, of the nations of the world. United together, and we require no other instrument to conquer peace, than our beneficent productions. United together, and we must be a great, free and prosperous people, whose renown must spread throughout the civilized world, and pass down, we trust, to the remotest ages. We ask you to join us in forming a Confederacy of Slaveholding States.

## REPORT,

BY MR. DESAUSSURE,

*Of the Committee on the Address to the People of the Southern States,*  
ON THE ADDRESS OF A PORTION OF THE MEMBERS OF THE GENERAL  
ASSEMBLY OF GEORGIA.

The Committee on the Address to the Southern States, to whom was referred the Address of a portion of the members of the General Assembly of Georgia to the People of South Carolina, Alabama, Mississippi and Florida, in Convention assembled, urging that no final separate State action shall be taken upon the question of secession from the Union, until a general Convention of the Southern States can be had, respectfully report: That the Address was not received until just before the Ordinance of Secession was put upon its passage, and the withdrawal of South Carolina from the Union has now been ordained. Nevertheless, the high respect entertained by this Convention for the members of the Legislature of our sister State of Georgia, from whom this Address emanated, impels the Convention briefly to state the causes which induced the passage of the Ordinance.

South Carolina did not desire to take the lead in secession, but her Legislature being in session for the purpose of appointing Presidential Electors, first felt the blow inflicted by the election of an enemy to Southern institutions, elected by Abolition States upon Abolition issues.

She felt that her safety was imperiled; that duty to herself demanded prompt action as the only means of meeting the impending danger, and she called this Convention to take the proper steps to save the Commonwealth.

The long continued violations, by the Federal authority, of the Constitutional compact between the States, produced, years ago, earnest and repeated remonstrances and warnings, not only from South Carolina, but most of the Southern States. These remonstrances were unheeded, until at length this State was driven to take vigorous measures for redress. When it was found she would no longer submit, a compromise was offered and accepted. How long its terms were observed, let the records of the country attest. The threatened storm being averted,



## APPENDIX TO THE

the bad faith of our Northern associates speedily displayed itself in renewed efforts to plunder the South.

When a successful war brought us accessions of territory, these were grasped by our unscrupulous allies, and monopolized, to the entire exclusion of Southern men with their property.

They have taken possession of nearly all the Territories, and insolently proclaimed that there should be no more slave States.

They have waged, for a long series of years, an unceasing warfare against the institution of domestic slavery established in the Southern States, with an avowed intention to undermine, circumscribe and utterly overthrow it. And this, notwithstanding that the existence, as well as lawfulness of slavery, were recognized by them in the Articles of Union.

They have taught their people to believe that slavery is a sin and a curse, and that they are responsible, if it is suffered longer to exist.

They have generated in the whole Northern mind a hatred against Southern institutions and Southern men. They proclaimed that an irrepressible conflict existed between the systems of Northern and Southern labor, and that one or the other must go down; and at length defiantly and exultingly declared that the battle was won.

The fruits of this nefarious warfare were at length displayed in the armed invasion of one of the States by some of their infatuated dupes, and by conflagrations and poisonings in other States. The orderly and contented slave population of the South at length became agitated and restless. A feverish feeling pervaded the Southern mind, and for the first time a sense of insecurity began to be felt, the necessary result of these diabolical machinations.

And these injuries were inflicted, not by a public enemy, but by citizens of States bound to us by a solemn compact, the avowed object of which was to insure domestic tranquillity.

As citizens of the United States, and under cover of their Constitutional privilege, they had access to our homes, and there endeavored to diffuse their deadly poison. This they had been taught to regard as a duty.

The peace, safety, and honor of South Carolina required imperatively that she should no longer continue in alliance with a people thus faithless to their Constitutional obligations.

From men whom no treaty could bind, she held it idle to ask for additional guaranties, and resolved, with unparalleled unanimity, to separate herself from them.



Some of the members of the Georgia Legislature have urged that final State action be deferred until a meeting of the Southern States can be had, to confer together for our common safety; but simultaneously we have received from Alabama, Mississippi and from Georgia, communications urging immediate and final action as indispensable to the safety of the entire South. These communications are from sources entitled to our utmost respect.

If a conference of the Southern States is had, it can have but two objects: one to patch up a hollow truce with anti-slavery, which denounces our institution as a crime, and which will hold all the power of the Government in all its departments in all time to come; the other to concert measures for final separation, and for the formation of a Southern Confederacy.

South Carolina has ordained her separation from the Federal Union. This she has done under a high sense of the responsibilities which attach to her, and her relations to her Southern sister States. Having weighed the consequences, she has resolved to go out of the Union alone, sooner than submit to the open as well as secret warfare carried on against her peace and safety. The other object of a Southern Conference—the formation of a Southern Confederacy, she anxiously desires, and most cordially invites.

The Committee submit the following resolution:

*Resolved*, That a copy of this report be transmitted by the President to the Honorable John Billups, President of a meeting of a portion of the members of the General Assembly of Georgia.

W. F. DESAUSSURE,  
On behalf of the Committee.

December 22, 1860.

## REPORT AND RESOLUTIONS

*From the Committee on Relations with the Slaveholding States, providing for Commissioners to such States.*

The Committee on "Relations with the Slaveholding States of North America," beg leave to report, that they have carefully considered the three several propositions contained in the resolutions referred to them, which were submitted in Convention by three several members from St. Philip's and St. Michael's. All the resolutions referred to the Committee look to the purpose of Confederate relations with our sister States of the South, having common interests with us, and every cause, as we trust, to indulge towards us common sympathies and to contract cordial relations. In such a purpose the Committee entirely and unanimously concur, and they recommend that every proper measure be adopted to accomplish such an end. Upon this subject so much unanimity prevails and has long prevailed in this State, that an argument thereupon would be wholly superfluous. All seem to agree that the first step proper to be taken for the purpose of promoting and securing the Confederation we seek, is the appointment of Commissioners, by the authority of this Convention, to such States of the South as may call Conventions to consider and determine their future political relations. The Committee advise that such steps be taken by this Convention, hoping and believing that our sister States of the South will correctly interpret our action in taking the initiative as arising, by no means, from any presumptuous arrogance, but from the advance position which circumstances have given to this State in the line of procedure for the great design of maintaining the rights, the security and the very existence of the slaveholding South.

It has been a subject of anxious consideration with the Committee whether the Commissioners, whose appointment they recommend, should be instructed to tender any basis of a temporary or Provisional Government to the States to which they may be accredited.

The instrument called the Constitution of the United States of America, has been suggested as a suitable and proper basis to be offered for a Provisional Government.

This suggestion has been commended to the Committee by various considerations, which cannot now be set forth in full or at large. Among these are:

That the said instrument was the work of minds of the first order in strength and accomplishment.

That it was most carefully constructed by comprehensive views and careful examination of details.

That experience has proved it to be a good form of government for those sufficiently virtuous, intelligent and patriotic to cause it to be fairly and honestly construed and impartially administered.

That the settled opinion of this State has never been adverse to that plan of Government of Confederate States on account of anything in its structure; but the dissatisfaction is attributable to the false glosses, and dangerous misinterpretation, and perversion of sundry of its provisions, even to the extent, in one particular, of so covering up the real purposes of certain legislation (meant to protect domestic manufactures in one section), as to estop the Supreme Court, in its opinion, from judicially perceiving the real design.

That it presents a complete scheme of confederation, capable of being speedily put into operation; familiar, by long acquaintance, with its provisions, and their true import to the people of the South, many of whom are believed to cherish a degree of veneration for it, and would feel safe under it, when in their own hands, for interpretation and administration, especially as the portions that have been, by perversion, made potent for mischief and oppression in the hands of adverse and inimical interests, have received a settled construction by the South.

That a speedy confederation by the South is desirable in the highest degree, which it is supposed must be temporary at first (if accomplished as soon as it should be), and no better basis than the Constitution of the United States is likely to be suggested or adopted for temporary purposes.

That the opinions of those to whom it is designed to offer it, would be conciliated by the testimony the very act itself would carry, that South Carolina meant to seek no selfish advantage, nor to indulge the least spirit of dictation.

That such form of government is more or less known to Europe, and, if adopted, would indicate abroad that the seceding Southern States had the foresight and energy to put into operation forthwith a scheme of government and administration competent to produce a prompt organization for internal necessities, and a sufficient protection of foreign

commerce directed hither, as well as to guarantee foreign powers in the confidence that a new Confederacy had immediately arisen, quite adequate to supersede all the evils, internal and external, of a partial or total interregnum.

That its speedy adoption would work happily as a revivifying agency in matters financial and commercial, between the States adopting it, and between them as a united power and foreign commercial nations, and at the same time would combine without delay a power touching purse and sword, that might bring to a prudent issue the reflections of those who may perchance be contemplating an invasion, or to an issue disastrous to them, the attempted execution of such unholy design.

Such are some of the considerations, very rapidly stated, which address themselves to this subject. It is contended that some limitation of the power to levy duties, and that to regulate commerce (and perhaps other provisions of the said Constitution), may be desirable, and are in fact so, to some of the Committee, yet these modifications may be safely left to a period when the articles of a permanent government may be settled, and that, meantime, the Constitution referred to will serve the purpose of a temporary Confederation, which the Committee unite in believing ought to be sought, through all proper measures, most earnestly.

It is also submitted, that if the tender of the said Constitution, even as a Provisional Government, should, in the opinion of the Convention, be accompanied by a condition that it be subject to specific limitations, expositions of ambiguities, or modifications, the Committee would respectfully refer to the Convention itself such matters; and this is done, not because the Committee would not willingly consider and report upon such subject, but because they deem it due to the Convention and the public interest, that they should now lay before the Convention the substantial propositions contained in the following resolutions, which the majority of the Committee recommend to the Convention as fit to be adopted, viz :

*Resolved*, First, That this Convention do appoint a Commissioner to proceed to each of the Slaveholding States that may assemble in Convention, for the purpose of laying our Ordinance of Secession before the same, and respectfully inviting their coöperation in the formation with us of a Southern Confederacy.

Second, That our Commissioners aforesaid, be further authorized to submit, on our part, the Federal Constitution as the basis of a Pro-



visional Government for such States as shall have withdrawn from their connection with the Government of the United States of America: *Provided*, That the said Provisional Government, and the tenures of all officers and appointments arising under it, shall cease and determine in two years from the first day of July next, or when a Permanent Government shall have been organized.

Third, That the said Commissioners be authorized to invite the seceding States to meet in Convention, at such time and place as may be agreed upon, for the purpose of forming and putting in motion such Provisional Government, and so that the said Provisional Government shall be organized and go into effect at the earliest period previous to the 4th day of March, 1861, and that the same Convention of the seceding States shall proceed forthwith to consider and propose a Constitution and plan for a Permanent Government for such States, which proposed plan shall be referred back to the several State Conventions for their adoption or rejection.

Fourth, That eight Deputies shall be elected by ballot by this Convention, who shall be authorized to meet in Convention such Deputies as may be appointed by the other slaveholding States who may secede from the Federal Union, for the purpose of carrying into effect the foregoing resolutions; and that it be recommended to the said States, that each State be entitled to one vote in the said Convention, upon all questions which may be voted upon therein; and that each State send as many Deputies as are equal in number to the number of Senators and Representatives to which it was entitled in the Congress of the United States.

D. F. JAMISON, *President*.

Attest: B. F. ARTHUR, *Clerk*.



CORRESPONDENCE BETWEEN THE COMMISSIONERS OF  
THE STATE OF SOUTH CAROLINA AND THE PRESIDENT OF THE UNITED STATES.

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[LETTER OF THE COMMISSIONERS TO THE PRESIDENT.]

WASHINGTON, 28th December, 1860.

*Sir:* We have the honor to transmit to you a copy of the full powers from the Convention of the People of South Carolina, under which we are "authorized and empowered to treat with the Government of the United States for the delivery of the forts, magazines, light-houses, and other real estate, with their appurtenances, within the limits of South Carolina, and also for an apportionment of the public debt, and for a division of all other property held by the Government of the United States as agent of the confederated States, of which South Carolina was recently a member; and generally to negotiate as to all other measures and arrangements proper to be made and adopted in the existing relation of the parties, and for the continuance of peace and amity between this Commonwealth and the Government at Washington."

In the execution of this trust, it is our duty to furnish you, as we now do, with an official copy of the Ordinance of Secession, by which the State of South Carolina has resumed the powers she delegated to the Government of the United States, and has declared her perfect sovereignty and independence.

It would also have been our duty to have informed you that we were ready to negotiate with you upon all such questions as are necessarily raised by the adoption of this Ordinance, and that we were prepared to enter upon this negotiation with the earnest desire to avoid all unnecessary and hostile collision, and so to inaugurate our new relations as to secure mutual respect, general advantage, and a future of good will and harmony beneficial to all the parties concerned.

But the events of the last twenty-four hours render such an assurance impossible. We came here the representatives of an authority which could, at any time within the past sixty days, have taken pos-

session of the forts in Charleston harbor, but which, upon pledges given in a manner that we cannot doubt, determined to trust to your honor rather than to its own power. Since our arrival here an officer of the United States, acting, as we are assured, not only without but against your orders, has dismantled one fort and occupied another, thus altering, to a most important extent, the condition of affairs under which we came.

Until these circumstances are explained in a manner which relieves us of all doubt as to the spirit in which these negotiations shall be conducted, we are forced to suspend all discussion as to any arrangements by which our mutual interests might be amicably adjusted.

And, in conclusion, we would urge upon you the immediate withdrawal of the troops from the harbor of Charleston. Under present circumstances, they are a standing menace which renders negotiation impossible, and, as our recent experience shows, threatens speedily to bring to a bloody issue questions which ought to be settled with temperance and judgment.

We have the honor, sir, to be,

Very respectfully,

Your obedient servants,

R. W. BARNWELL,

J. H. ADAMS,

JAMES L. ORR,

*Commissioners.*

TO THE PRESIDENT OF THE UNITED STATES.

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[REPLY OF THE PRESIDENT TO THE COMMISSIONERS.]

WASHINGTON CITY, 30th December, 1860.

GENTLEMEN: I have the honor to receive your communication of 28th instant, together with a copy of your "full powers from the Convention of the People of South Carolina," authorizing you to treat with the Government of the United States on various important subjects therein mentioned, and also a copy of the Ordinance bearing date on the 20th instant, declaring that "the Union now subsisting between South Carolina and other States under the name of 'the United States of America,' is hereby dissolved."

In answer to this communication, I have to say, that my position as

President of the United States was clearly defined in the message to Congress of the 3d instant. In that I stated that, "apart from the execution of the laws, so far as this may be practicable, the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to change the relations heretofore existing between them, much less to acknowledge the independence of that State. This would be to invest a mere executive officer with the power of recognizing the dissolution of the confederacy among our thirty-three sovereign States. It bears no resemblance to the recognition of a foreign *de facto* Government—involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question, in all its bearings."

Such is my opinion still. I could, therefore, meet you only as private gentlemen of the highest character, and was entirely willing to communicate to Congress any proposition you might have to make to that body upon the subject. Of this you were well aware. It was my earnest desire, that such a disposition might be made of the whole subject by Congress, who alone possess the power, as to prevent the inauguration of a civil war between the parties in regard to the possession of the Federal Forts in the harbor of Charleston; and I therefore deeply regret, that, in your opinion, "the events of the last twenty-four hours render this impossible." In conclusion, you urge upon me "the immediate withdrawal of the troops from the harbor of Charleston," stating that, "under present circumstances, they are a standing menace which renders negotiation impossible, and, as our recent experience shows, threatens speedily to bring to a bloody issue, questions which ought to be settled with temperance and judgment."

The reason for this change in your position is, that since your arrival in Washington, "an officer of the United States, acting as we (you) are assured, not only without, but against your (my) orders, has dismantled one fort and occupied another, thus altering, to a most important extent, the condition of affairs under which we (you) came." You also allege that you came here "the representatives of an authority which could, at any time, within the past sixty days, have taken possession of the forts in Charleston harbor, but which, upon pledges given in a manner that we (you) cannot doubt, determined to trust to your (my) honor rather than to its own power."

This brings me to a consideration of the nature of those alleged

pledges, and in what manner they have been observed. In my message of the third of December last, I stated, in regard to the property of the United States in South Carolina, that it "has been purchased for a fair equivalent 'by the consent of the Legislature of the State,' 'for the erection of forts, magazines, arsenals,' &c., and over these the authority 'to exercise exclusive legislation' has been expressly granted by the Constitution to Congress. It is not believed that any attempt will be made to expel the United States from this property by force; but if in this I should prove to be mistaken, the officer in command of the forts has received orders to act strictly on the defensive. In such a contingency, the responsibility for consequences would rightfully rest upon the heads of the assailants." This being the condition of the parties, on Saturday, 8th December, four of the representatives from South Carolina called on me and requested an interview. We had an earnest conversation on the subject of these forts, and the best means of preventing a collision between the parties for the purpose of sparing the effusion of blood. I suggested, for prudential reasons, that it would be best to put in writing what they said to me verbally. They did so accordingly, and on Monday morning, the 10th instant, three of them presented to me a paper signed by all the representatives from South Carolina, with a single exception, of which the following is a copy:

*To his Excellency, JAMES BUCHANAN,*

*President of the United States:*

In compliance with our statement to you yesterday, we now express to you our strong convictions that neither the constituted authorities, nor any body of the people of the State of South Carolina, will either attack or molest the United States Forts, in the harbor of Charleston, previously to the action of the Convention, and we hope and believe, not until an offer has been made, through an accredited representative, to negotiate for an amicable arrangement of all matters between the State and the Federal Government, provided that no reinforcements shall be sent into those forts, and their relative military *status* shall remain as at present.

JNO. McQUEEN,  
WM. PORCHER MILES,  
M. L. BONHAM,  
W. W. BOYCE,  
LAWRENCE M. KEITT.

WASHINGTON, 9th December, 1860.



And here I must, in justice to myself, remark, that at the time the paper was presented to me, I objected to the word "provided," as it might be construed into an agreement, on my part, which I never would make. They said that nothing was farther from their intention—they did not so understand it, and I should not so consider it. It is evident they could enter into no reciprocal agreement with me on the subject. They did not profess to have authority to do this, and were acting in their individual character. I considered it as nothing more, in effect, than the promise of highly honorable gentlemen to exert their influence for the purpose expressed. The event has proven that they have faithfully kept this promise, although I have never since received a line from any one of them, or from any member of the Convention, on the subject. It is well known that it was my determination, and this I freely expressed, not to reinforce the forts in the harbor, and thus produce a collision, until they had been actually attacked, or until I had certain evidence that they were about to be attacked. This paper I received most cordially, and considered it as a happy omen that peace might still be preserved, and that time might thus be gained for reflection. This is the whole foundation for the alleged pledge.

But I acted in the same manner I would have done had I entered into a positive and formal agreement with parties capable of contracting, although such an agreement would have been, on my part, from the nature of my official duties, impossible.

The world knows that I have never sent any reinforcements to the forts in Charleston harbor, and I have certainly never authorized any change to be made "in their relative military status."

Bearing upon this subject, I refer you to an order issued by the Secretary of War, on the 11th inst., to Major Anderson, but not brought to my notice until the 21st instant. It is as follows :

*"Memorandum of verbal instructions to Major ANDERSON, 1st Artillery, Commanding Fort Moultrie, S. C.*

You are aware of the great anxiety of the Secretary of War that a collision of the troops with the people of this State shall be avoided, and of his studied determination to pursue a course with reference to the military force and forts in this harbor, which shall guard against such a collision. He has, therefore, carefully abstained from increasing the force at this point, or taking any measures which might add to the present excited state of the public mind, or which would throw any doubt on the confidence he feels that South Carolina will not attempt by violence to



obtain possession of the public works, or interfere with their occupancy. But as the counsel and acts of rash and impulsive persons may possibly disappoint these expectations of the Government, he deems it proper that you should be prepared with instructions to meet so unhappy a contingency. He has, therefore, directed me, verbally, to give you such instructions.

You are carefully to avoid every act which would needlessly tend to provoke aggression ; and, for that reason, you are not, without evident and imminent necessity, to take up any position which could be construed into the assumption of a hostile attitude ; but you are to hold possession of the forts in this harbor, and, if attacked, you are to defend yourself to the last extremity. The smallness of your force will not permit you, perhaps, to occupy more than one of the three forts ; but an attack on, or attempt to take possession of, either of them, will be regarded as an act of hostility, and you may then put your command into either of them which you may deem most proper, to increase its power of resistance. You are also authorized to take similar defensive steps whenever you have tangible evidence of a design to proceed to a hostile act

D. P. BUTLER, *Assistant Adjutant-General.*

FORT MOULTRIE, S. C., Dec. 11, 1860.

This is in conformity to my instructions to Major Buell.

JOHN B. FLOYD, *Secretary of War.*

These were the last instructions transmitted to Major Anderson before his removal to Fort Sumter, with a single exception in regard to a particular which does not, in any degree, affect the present question. Under these circumstances, it is clear that Major Anderson acted upon his own responsibility, and without authority, unless, indeed, he had "tangible evidence of a design to proceed to a hostile act," on the part of the authorities of South Carolina, which has not yet been alleged. Still, he is a brave and honorable officer ; and justice requires that he should not be condemned without a fair hearing.

Be this as it may, when I learned that Major Anderson had left Fort Moultrie, and proceeded to Fort Sumter, my first promptings were to command him to return to his former position, and there to await the contingencies presented in his instructions. This could only have been done, with any degree of safety to the command, by the concur-

rence of the South Carolina authorities. But, before any steps could possibly have been taken in this direction, we received information, dated on the 28th instant, that "the Palmetto flag floated out to the breeze at Castle Pinckney, and a large military force went over last night (the 27th) to Fort Moultrie." Thus the authorities of South Carolina, without waiting or asking for any explanation, and doubtless believing, as you have expressed it, that the officer had acted not only without, but against my orders, on the very next day after the night when the removal was made, seized, by a military force, two of the three federal forts in the harbor of Charleston, and have covered them under their own flag, instead of that of the United States. At this gloomy period of our history, startling events succeed each other rapidly. On the very day (the 27th instant) that possession of these two forts was taken, the Palmetto flag was raised over the Federal Custom House and Post Office in Charleston; and, on the same day, every officer of the Customs—Collector, Naval Officers, Surveyor and Appraisers—resigned their offices. And this, although it was well known, from the language of my message, that, as an executive officer, I felt myself bound to collect the revenue at the port of Charleston under existing laws. In the harbor of Charleston, we now find three forts confronting each other, over all of which the Federal flag floated only four days ago; but now, over two of them, this flag has been supplanted, and the Palmetto flag has been substituted in its stead. It is, under all these circumstances, that I am urged immediately to withdraw the troops from the harbor of Charleston, and am informed that without this, negotiation is impossible. This I cannot do; this I will not do. Such an idea was never thought of by me in any possible contingency. No allusion to it had ever been made in any communication between myself and any human being. But the inference is, that I am bound to withdraw the troops from the only fort remaining in the possession of the United States in the harbor of Charleston, because the officer then in command of all the forts thought proper, without instructions, to change his position from one of them to another. I cannot admit the justice of any such inference.

At this point of writing, I have received information, by telegram, from Captain Humphreys, in command of the Arsenal at Charleston, "that it has to-day (Sunday, the 30th,) been taken by force of arms." It is estimated that the munitions of war belonging to the United States in this Arsenal are worth half a million of dollars.

Comment is needless. After this information, I have only to add,

that, whilst it is my duty to defend Fort Sumter, as a portion of the public property of the United States, against hostile attacks from whatever quarter they may come, by such means as I may possess for this purpose, I do not perceive how such a defence can be construed into a menace against the City of Charleston.

With great personal regard, I remain

Yours, very respectfully,

JAMES BUCHANAN.

*o Honorable*

ROBERT W. BARNWELL,

JAMES H. ADAMS,

JAMES L. ORR.

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[REPLY OF COMMISSIONERS TO THE PRESIDENT.]

WASHINGTON, D. C., January 1st, 1861.

SIR: We have the honor to acknowledge the receipt of your letter of the 30th December, in reply to a note addressed by us to you on the 28th of the same month, as Commissioners from South Carolina.

In reference to the declaration with which your reply commences, that "your position as President of the United States was clearly defined in the Message to Congress of the 3d instant," that you possess "no power to change the relations heretofore existing" between South Carolina and the United States, "much less to acknowledge the independence of that State," and that, consequently, you could meet us only as private gentlemen of the highest character, with an entire willingness to communicate to Congress any proposition we might have to make, we deem it only necessary to say, that the State of South Carolina having, in the exercise of that great right of self-government which underlies all our political organizations, declared herself sovereign and independent, we, as her representatives, felt no special solicitude as to the character in which you might recognize us. Satisfied that the State had simply exercised her unquestionable right, we were prepared, in order to reach substantial good, to waive the formal considerations which your constitutional scruples might have prevented you from extending. We came here, therefore, expecting to be received as you did receive us, and perfectly content with that entire willingness of which you assured us, to submit any proposition to Congress which

we might have to make upon the subject of the independence of the State. That willingness was ample recognition of the condition of public affairs which rendered our presence necessary. In this position, however, it is our duty, both to the State which we represent and to ourselves, to correct several important misconceptions of our letter, in which you have fallen.

You say: "It was my earnest desire that such a disposition might be made of the whole subject by Congress, who alone possesses the power to prevent the inauguration of a civil war between the parties in regard to the possession of the Federal forts in the harbor of Charleston, and I, therefore, deeply regret that, in your opinion, 'the events of the last twenty-four hours render this impossible.'" We expressed no such opinion; and the language which you quote as ours, is altered in its sense by the omission of a most important part of the sentence. What we did say was—"But the events of the last twenty-four hours render *such an assurance* impossible." Place that "assurance" as contained in our letter, in the sentence, and we are prepared to repeat it.

Again, professing to quote our language, you say: "Thus the authorities of South Carolina, without waiting or asking for any explanation, and, doubtless, believing, as you have expressed it, that the officer had acted not only without, but against my orders," &c. We expressed no such opinion in reference to the belief of the people of South Carolina. The language which you have quoted, was applied solely and entirely to *our* assurance, obtained here, and based, as you well know, upon your own declaration—a declaration which, at that time, it was impossible for the authorities of South Carolina to have known. But, without following this letter into all its details, we propose only to meet the chief points of the argument.

Some weeks ago, the State of South Carolina declared her intention in the existing condition of public affairs, to secede from the United States. She called a Convention of her people to put her declaration in force. The Convention met, and passed the Ordinance of Secession. All this you anticipated, and your course of action was thoroughly considered. In your annual message, you declared you had no right, and would not attempt, to coerce a seceding State, but that you were bound by your constitutional oath, and would defend the property of the United States within the borders of South Carolina, if an attempt was made to take it by force. Seeing very early that this question of property was a difficult and delicate one, you manifested a desire to settle it without collision. • You did not reinforce the garrisons in the



harbor of Charleston. You removed a distinguished and veteran officer from the command of Fort Moultrie, because he attempted to increase his supply of ammunition. You refused to send additional troops to the same garrison when applied for by the officer appointed to succeed him. You accepted the resignation of the oldest and most efficient member of your Cabinet, rather than allow these garrisons to be strengthened. You compelled an officer stationed at Fort Sumter to return immediately to the Arsenal forty muskets which he had taken to arm his men. You expressed not to one, but to many, of the most distinguished of our public characters, whose testimony will be placed upon the record whenever it is necessary, your anxiety for a peaceful termination of this controversy, and your willingness not to disturb the military status of the forts, if Commissioners should be sent to the Government, whose communications you promised to submit to Congress. You received and acted on assurances from the highest official authorities of South Carolina, that no attempt would be made to disturb your possession of the forts and property of the United States, if you would not disturb their existing condition until Commissioners had been sent, and the attempt to negotiate had failed. You took from the members of the House of Representatives, a written memorandum that no such attempt should be made, "provided that no reinforcements shall be sent into those forts, and their relative military status shall remain as at present." And, although you attach no force to the acceptance of such a paper although you "considered it as nothing more in effect than the promise of highly honorable gentlemen," as an obligation on one side, without corresponding obligation on the other, it must be remembered (if we are rightly informed) that you were pledged, if you ever did send reinforcements, to return it to those from whom you had received it before you executed your resolution. You sent orders to your officers, commanding them strictly to follow a line of conduct in conformity with such an understanding.

Beside all this, you had received formal and official notice from the Governor of South Carolina, that we had been appointed Commissioners, and were on our way to Washington. You knew the implied condition under which we came; our arrival was notified to you, and an hour appointed for an interview. We arrived in Washington on Wednesday, at three o'clock, and you appointed an interview with us at one the next day. Early on that day, Thursday, the news was received here of the movement of Major Anderson. That news was communicated to you immediately, and you postponed our meeting until half-



past two o'clock, on Friday, in order that you might consult your Cabinet. On Friday we saw you, and we called upon you then to redeem your pledge. You could not deny it. With the facts we have stated, and in the face of the crowning and conclusive fact, that your Secretary of War had resigned his seat in the Cabinet, upon the publicly avowed ground that the action of Major Anderson had violated the pledged faith of the Government, and that unless the pledge was instantly redeemed, he was dishonored; denial was impossible; you did not deny it. You do not deny it now, but you seek to escape from its obligation on two grounds: 1st, That *we* terminated all negotiation by demanding, as a preliminary, the withdrawal of the United States troops from the harbor of Charleston; and 2d, That the authorities of South Carolina, instead of asking explanation, and giving you the opportunity to vindicate yourself, took possession of other property of the United States. We will examine both.

In the first place, we deny positively, that we have ever, in any way, made any such demand. Our letter is in your possession; it will stand by this on the record. In it, we inform you of the objects of our mission. We say that it would have been our duty to have assured you of our readiness to commence negotiations with the most earnest and anxious desire to settle all questions between us amicably, and to our mutual advantage, but that events had rendered that assurance impossible. We stated the events, and we said that, until some satisfactory explanation of these events was given us, we could not proceed, and then, having made this request for explanation, we added, "and, in conclusion, we would urge upon you the immediate withdrawal of the troops from the harbor of Charleston. Under present circumstances they are a standing menace, which renders negotiation impossible," &c. "Under present circumstances!" What circumstances? Why, clearly, the occupation of Fort Sumter, and the dismantling of Fort Moultrie by Major Anderson, in the face of your pledges, and without explanation or practical disavowal. And there is nothing in the letter, which would or could have prevented you from declining to withdraw the troops, and offering the restoration of the status to which you were pledged, if such had been your desire. It would have been wiser and better, in our opinion, to have withdrawn the troops, and this opinion we urged upon you, but we *demanded* nothing but such an explanation of the events of the last twenty four hours as would restore our confidence in the spirit with which the negotiation should be conducted. In relation to this withdrawal of the troops from the harbor,

we are compelled, however, to notice one passage of your letter. Referring to it, you say: "This I cannot do. This I will not do. Such an idea was never thought of by me in any possible contingency. No allusion to it had ever been made in any communication between myself and any human being."

In reply to this statement we are compelled to say, that your conversation with us left upon our minds the distinct impression that you did seriously contemplate the withdrawal of the troops from Charleston harbor. And, in support of this impression, we would add that we have the positive assurance of gentlemen of the highest possible public reputation, and the most unsullied integrity—men whose name and fame, secured by long service and patriotic achievement, place their testimony beyond cavil—that such suggestions had been made to, and urged upon you by them, and had formed the subject of more than one earnest discussion with you. And it was this knowledge that induced us to urge upon you a policy which had to recommend it its own wisdom and the weight of such authority. As to the second point, that the authorities of South Carolina, instead of asking explanations, and giving you the opportunity to vindicate yourself, took possession of other property of the United States, we would observe: 1st, That, even if this were so, it does not avail you for defence, for the opportunity for decision was afforded you before these facts occurred. We arrived in Washington on Wednesday. The news from Major Anderson reached here early on Thursday, and was immediately communicated to you. All that day, men of the highest consideration—men who had striven successfully to lift you to your great office—who had been your tried and true friends through the troubles of your administration—sought you, and entreated you to act—to act at once. They told you that every hour complicated your position. They only asked you to give the assurance that, if the facts were so—that, if the Commander had acted without, and against your orders, and in violation of your pledges, that you would restore the *status* you had pledged your honor to maintain.

You refused to decide. Your Secretary of War—your immediate and proper adviser in this whole matter—waited anxiously for your decision, until he felt that delay was becoming dishonor. More than twelve hours passed, and two Cabinet meetings had adjourned before you knew what the authorities of South Carolina had done, and your prompt decision at any moment of that time, would have avoided the subsequent complications. But if you had known the acts of the

authorities of South Carolina, should that have prevented your keeping your faith? What was the condition of things? For the last sixty days, you have had in Charleston harbor, not force enough to hold the forts against an equal enemy. Two of them were empty; one of those two, the most important in the harbor. It could have been taken at any time. You ought to know better than any man, that it would have been taken, but for the efforts of those who put their trust in your honor. Believing that they were threatened by Fort Sumter especially, the people were, with difficulty, restrained from securing, without blood, the possession of this important fortress. After many and reiterated assurances given on your behalf, which we cannot believe unauthorized, they determined to forbear, and in good faith sent on their Commissioners to negotiate with you. They meant you no harm; wished you no ill. They thought of you kindly, believed you true, and were willing, as far as was consistent with duty, to spare you unnecessary and hostile collision. Scarcely had their Commissioners left, than Major Anderson waged war. No other words will describe his action. It was not a peaceful change from one fort to another; it was a hostile act in the highest sense—one only justified in the presence of a superior enemy, and in imminent peril. He abandoned his position, spiked his guns, burned his gun-carriages, made preparations for the destruction of his post, and withdrew, under cover of the night, to a safer position. This was war. No man could have believed (without your assurance) that any officer could have taken such a step, "not only without orders, but against orders." What the State did, was in simple self-defence; for this act, with all its attending circumstances, was as much war as firing a volley; and war being thus begun, until those commencing it explained their action, and disavowed their intention, there was no room for delay; and, even at this moment, while we are writing, it is more than probable, from the tenor of your letter, that reinforcements are hurrying on to the conflict, so that when the first gun shall be fired, there will have been, on your part, one continuous consistent series of actions commencing in a demonstration essentially warlike, supported by regular reinforcement, and terminating in defeat or victory. And all this without the slightest provocation; for, among the many things which you have said, there is one thing you cannot say—you have waited anxiously for news from the seat of war, in hopes that delay would furnish some excuse for this precipitation. But this "tangible evidence of a design to proceed to a hostile act, on the part of the authorities of South Carolina," (which is the only justification of

Major Anderson,) you are forced to admit "has not yet been alleged." But you have decided. You have resolved to hold by force what you have obtained through our misplaced confidence, and by refusing to disavow the action of Major Anderson, have converted his violation of orders into a legitimate act of your Executive authority. Be the issue what it may, of this we are assured, that if Fort Moultrie has been recorded in history as a memorial of Carolina gallantry, Fort Sumter will live upon the succeeding page as an imperishable testimony of Carolina faith.

By your course, you have probably rendered civil war inevitable. Be it so. If you choose to force this issue upon us, the State of South Carolina will accept it, and relying upon Him who is the God of justice as well as the God of hosts, will endeavor to perform the great duty which lies before her, hopefully, bravely and thoroughly.

Our mission being one for negotiation and peace, and your note leaving us without hope of a withdrawal of the troops from Fort Sumter, or of the restoration of the *status quo* existing at the time of our arrival, and intimating, as we think, your determination to reinforce the garrison in the harbor of Charleston, we respectfully inform you that we propose returning to Charleston on to-morrow afternoon.

We have the honor to be sir, very respectfully,

Your obedient servants,

R. W. BARNWELL,

J. H. ADAMS,

JAMES L. ORR,

*Commissioners.*

*To his Excellency the PRESIDENT*

*of the United States.*

The last communication is endorsed as follows :

EXECUTIVE MANSION,

3½ o'clock, Wednesday.

This paper, just presented to the President, is of such a character that he declines to receive it.



## STATEMENT

OF MESSRS. MILES AND KEITT, OF WHAT TRANSPIRED  
BETWEEN THE PRESIDENT AND THE SOUTH  
CAROLINA DELEGATION.

In compliance with the request of the Convention, we beg leave to make the following statement:

On Saturday, the 8th of December, several of the South Carolina delegation, including ourselves, waited upon the President. At this time, there was a growing belief that reinforcements were on the eve of being sent to the forts in Charleston harbor. It was known that the subject was frequently and earnestly discussed in the Cabinet. It was rumored that General Cass and Mr. Holt were urgent that reinforcements should be sent. Upon our being announced, the President, who was then in Cabinet Council, came out to us in the ante-room. We at once entered into a conversation upon the topic which was so closely occupying his thoughts as well as ours. The President seemed much disturbed and moved. He told us that he had had a painful interview with the wife of Major Anderson, who had come on from New York to see him. She had manifested great anxiety and distress at the situation of her husband, whom she seemed to consider in momentary danger of an attack from an excited and lawless mob. The President professed to feel a deep responsibility resting upon him to protect the lives of Major Anderson and his command. We told him that the news that reinforcements were on their way to Charleston, would be the surest means of provoking what Mrs. Anderson apprehended, and what he so much deprecated. We said, further, that we did not believe that Major Anderson was in any danger of such an attack; that the general sentiment of the State was against any such proceeding. That, prior to the action of the State Convention, then only ten days off, we felt satisfied that there would be no attempt to molest the forts in any way. That, after the Convention met—while we could not possibly undertake to say what that body would see fit to do—we yet hoped and believed that nothing would be done until we had first endeavored, by duly accredited Commissioners, to negotiate for a peaceful



settlement of all matters, including the delivery of the forts, between South Carolina and the Federal Government. At the same time, we again reiterated our solemn belief that any change in the then existing condition of things in Charleston harbor, would, in the excited state of feeling at home, inevitably precipitate a collision. The impression made upon us was, that the President was wavering, and had not decided what course he would pursue. He said he was glad to have had this conversation with us, but would prefer that we should give him a written memorandum of the substance of what we had said. This we did on Monday, the 10th. It was in these words :

*To his Excellency* JAMES BUCHANAN,

*President of the United States :*

In compliance with our statement to you yesterday, we now express to you our strong convictions that neither the constituted authorities, nor any body of the people of the State of South Carolina, will either attack or molest the United States forts in the harbor of Charleston, previously to the action of the Convention, and we hope and believe not until an offer has been made, through an accredited representative, to negotiate for an amicable arrangement of all matters between the State and the Federal Government, provided that no reinforcements shall be sent into those forts, and their relative military status shall remain as at present.

JOHN McQUEEN,  
WM. PORCHER MILES,  
M. L. BONHAM,  
W. W. BOYCE,  
LAWRENCE M. KEITT.

WASHINGTON, 9th December, 1860.

The President did not like the word "provided," because it looked as if we were binding him while avowing that we had no authority to commit the Convention. We told him that we did not so understand it. We were expressing our convictions and belief, predicated upon the maintenance of a certain condition of things, which maintenance was absolutely and entirely *in his power*. If he maintained such condition, then we believed that collision would be avoided until the attempt at a peaceable negotiation had failed. If he did not, then we solemnly assured him that we believed that collision must inevitably, and at once, be precipitated. He seemed satisfied, and said it was not his intention to send reinforcements, or make any change. We ex-

plained to him what we meant by the words "relative military status," as applied to the forts; mentioned the difference between Major Anderson's occupying his then position at Fort Moultrie, and throwing himself into Fort Sumter. We stated that the latter step would be equivalent to reinforcing the garrison, and would just as certainly as the sending of fresh troops, lead to the result which we both desired to avoid. When we rose to go, the President said in substance, "After all, this is a matter of honor among gentlemen. I do not know that any paper or writing is necessary. We understand each other." One of the delegation, just before leaving the room, remarked: "Mr. President, you have determined to let things remain as they are, and not to send reinforcements; but, suppose that you were hereafter to change your policy for any reason, what then? That would put us, who are willing to use our personal influence to prevent any attack upon the forts before Commissioners are sent on to Washington, in rather an embarrassing position." "Then," said the President, "I would first return you this paper." We do not pretend to give the exact words on either side, but we are sure we give the sense of both.

The above is a full and exact account of what passed between the President and the delegation. The President, in his letter to our Commissioners, tries to give the impression that our "understanding" or "agreement" was not a "pledge." We confess we are not sufficiently versed in the wiles of diplomacy to feel the force of this "distinction without a difference." Nor can we understand how, in "a matter of honor among gentlemen," in which "no paper or writing is necessary," the very party who was willing to put it on that high footing can honorably descend to mere verbal criticism, to purge himself of what all gentlemen and men of honor must consider a breach of faith. The very fact that we (the Representatives from South Carolina) were not authorized to commit or "pledge" the State, were not treating with the President as accredited ministers, with full powers, but as gentlemen, assuming, to a certain extent, the delicate task of undertaking to foreshadow the course and policy of the State, should have made the President the more ready to strengthen our hands to bring about and carry out that course and policy which he professed to have as much at heart as we had. While we were not authorized to say that the Convention would not order the occupation of the forts immediately after secession, and prior to the sending on of Commissioners, the President, as Commander-in-chief of the Army and Navy of the United States, could most positively say, that so long

as South Carolina abstained from attacking and seizing the forts, he would not send reinforcements to them, or allow their relative military status to be changed. We were acting in the capacity of gentlemen holding certain prominent positions, and anxious to exert such influence as we might possess to effect a peaceful solution of pending political difficulties, and prevent, if possible, the horrors of war. The President was acting in a double capacity; not only as a gentleman, whose influence in carrying out his share of the understanding, or agreement, was potential, but as the head of the army, and, therefore, having the absolute control of the whole matter of reinforcing or transferring the garrison at Charleston. But we have dwelt long enough upon this point. Suffice it to say, that considering the President as bound in honor, if not by treaty stipulations, not to make any change in the forts, or to send reinforcements to them, unless they were attacked, we of the delegation who were elected to the Convention, felt equally bound in honor to do every thing on our part to prevent any premature collision. This Convention can bear us witness as to whether or not we endeavored honorably to carry out our share of the agreement.

The published debates at the very commencement of the session, contain the evidence of our good faith. We trusted the President. We believed his wishes concurred with his policy, and that both were directed to avoiding any inauguration of hostilities. We were confirmed in our confidence, and reassured in our belief by a significant event which took place subsequent to our interview. He allowed his premier Cabinet officer, an old and tried friend, to resign, rather than yield to his solicitations for the reinforcement of the garrison at Charleston. We urged this as a convincing proof of his firmness and sincerity. But how have we been deceived! The news of Major Anderson's *coup* produced a sudden and unexpected change in the President's policy. While declaring that his withdrawal from Fort Moultrie to Fort Sumter was "without orders, and contrary to orders," he yet refused, for twelve hours, to take any action in the matter. For twelve hours, therefore, without any excuse, he refused to redeem his plighted word. No subsequent acts on the part of our State—no after reasons—can wipe away the stain which he suffered to rest upon his "honor as a gentleman," while those hours, big with portentous events, rolled slowly by. His Secretary of War, impatient of a delay, every moment of which he felt touched his own honor, resigned. He did so solely on the ground that the faith of the Government—solemnly pledged—was broken, if it failed promptly to undo

what had been done contrary to its wishes—against its settled policy—and in violation of its distinct agreement. The President accepted his resignation without comment. He did not attempt to disabuse the mind of his Secretary as to what was the true position of the Government. What a spectacle does the President's vacillating and disingenuous course present! He allows one Secretary to resign rather than abandon a policy which he has agreed upon. Scarcely have a few short weeks elapsed, and he accepts the resignation of another, rather than adhere to that very policy. He makes an agreement with gentlemen which, while he admits that they have faithfully kept it on their part, he himself evades and repudiates. And this he does rather than redress a wrong—correct an error—what he himself considers an error—committed by a subordinate, without his orders, and contrary to his wishes! It was at least due to Mr. Floyd, who, as one of his Cabinet, had officially and personally stood by his administration from its very commencement—through good report, and through evil report—to have explained to him that he was, in the President's opinion, laboring under a misapprehension. At least, to have said to him, "you are mistaken about this matter—do not leave me on a false issue." But no; he coldly, ungraciously, yet promptly, receives the resignation without a syllable of remonstrance, and thus tacitly, but unequivocally, accepts without shame the issue presented. He does not deny that the faith of his government is pledged, but he deliberately refuses to redeem it.

WM. PORCHER MILES,  
LAWRENCE M. KEITT.



## REPORTS OF COMMITTEE ON ACCOUNTS.

The Committee on Accounts, to whom was referred the account of P. B. Glass, for stationery, ask leave to report, that they have examined the same, and recommend that the sum of fifty-one dollars and sixty-two cents be paid to P. B. Glass, being the amount of his account.

THOMAS THOMSON, Chairman.

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The Committee on Accounts, to whom was referred the account of E. R. Stokes, for sundry articles furnished, and services rendered, ask leave to report, that they have examined the same, and recommend that E. R. Stokes be paid the sum of one hundred and fifty dollars, the amount of his account.

THOMAS THOMSON, Chairman.

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The Committee on Accounts, to whom was referred the accounts of Horton & Shepherd, Lambert & Howell, J. E. Suares, E. R. Cowperthwaite, Daniel H. Silcox, and Thomas Aimar, ask leave to report, that they have examined the same, and find they consist of sundry articles furnished for the use of the Convention, and cash paid for labor at the Hall of the South Carolina Institute. The accounts were properly certified by the Committee of Arrangements. Your committee, therefore, recommend that the following sums be paid to the parties entitled thereto, as follows:

To Horton & Shepherd, the sum of three dollars.

To Lambert & Howell, the sum of one hundred and ninety-seven dollars and thirty-nine cents.

To J. E. Suares, the sum of twenty-two dollars.

To E. R. Cowperthwaite, the sum of twenty-one dollars.



To D. H. Silcox, the sum of one hundred and twenty-one dollars.

To Thomas Aimar, the sum of twenty dollars and fifty-nine cents.

Respectfully submitted,

THOMAS THOMSON, Chairman.

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The Committee on Accounts, to whom was referred the account of A. J. Burke, for stationery, ask leave to report, that they have examined the same, and recommend that A. J. Burke be paid the sum of four dollars and twelve cents, in full of his account.

THOMAS THOMSON, Chairman.

REPORTS OF COMMITTEE AS TO DOCUMENTS DIRECTED  
TO BE ENGROSSED.

The Committee on Engrossed Ordinances respectfully report, that the following Ordinances have been engrossed and enrolled, to wit :

1. An Ordinance to alter the Constitution of the State of South Carolina in respect to the oath of office.

2. An Ordinance to make provisional postal arrangements in South Carolina.

3. An Ordinance to make provisional arrangements for the continuance of commercial facilities in South Carolina.

4. An Ordinance to amend the Constitution of the State of South Carolina in respect to the Executive Department.

5. An Ordinance to alter the Constitution of the State of South Carolina by striking out certain words in sundry places.

Your Committee would further report that these Ordinances, having been duly signed by the President and attested by the Clerk of the Convention, and the seal of the State attached thereto, have been deposited in the Secretary of State's office.

THOMAS Y. SIMONS, Chairman.

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The Committee on Engrossed Ordinances respectfully report, that they have duly engrossed and enrolled :

The report of the Committee on Relations with the Slaveholding States of North America, with the resolutions thereto appended.

Also, the following Ordinances, to wit :

An Ordinance concerning Judicial Powers.

An Ordinance to define and punish Treason.

An Ordinance concerning powers lately vested in the Congress of the United States.

An Ordinance concerning Citizenship.

That these having been duly signed by the President and attested by the Clerk of the Convention, and the seal of the State attached thereto, have been deposited in the office of the Secretary of State for safe keeping.

THOMAS Y. SIMONS, Chairman.



SECOND SESSION.





COMMUNICATION FROM HIS EXCELLENCY THE  
GOVERNOR.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,  
Charleston, March 28, 1861.

*To the President and Members of the Convention :*

GENTLEMEN : On the 12th day of February last, the Confederate Government adopted the following resolution :

“ *Resolved*, That this Government takes under its charge the questions and difficulties now existing between several States of this Confederacy and the Government of the United States, relating to the occupation of Forts, Arsenals, Navy Yards, and other public establishments; and that the President of the Congress be directed to communicate this resolution to the Governors of the States.”

And on the 1st day of March, the Secretary of War wrote me in the following language :

“ Under this Act the President directs me to inform you that he assumes control of all the military operations of your State, having reference to, or connected with, questions between your State and powers foreign to it.

“ He also directs me to request you to communicate to the Department without delay, the quantity and character of arms and munitions of war which have been acquired from the United States, and which are now in the Forts, Arsenals and Navy Yards of your State, and all other arms and munitions which your State may desire to turn over and make chargeable to this Government.”

The Provisional Government for the Confederate States was created by your authority, through delegates appointed to meet other delegates from all the seceding States, and, therefore, I consider the acts of the Provisional Government as binding upon South Carolina. By virtue of this authority, the President of the Confederate Government, on the third of this month, placed General Beauregard in full command of all forces in actual service, in and around Charleston. He is a scientific and thorough-bred officer, and no appointment could have been more acceptable.

I did not think I was fully authorized to transfer the enlisted forces of South Carolina over to the Confederate Government, because their enlistment was in the nature of a contract with the State, the conditions of which could not be varied, except by the authority of the Convention.

I have transmitted to the Secretary of War of the Confederate States a full and accurate list of the officers that have been appointed in the regular enlisted service of this State, and took occasion to say that I would refer the matter to the Convention to determine and fix the conditions upon which this force should be transferred over to the Confederate Government. It was a force raised under peculiar circumstances of great excitement and peril, and the officers have been selected with strict regard, in most instances, to military services heretofore rendered in the late Mexican war, or in reference to their rank and position in the late United States army.

I respectfully urge, therefore, that the Convention may preserve their rank and commissions, as far as possible, in any arrangement or transfer they may make of them to the Confederate Government. This force was enlisted for one year, and in any events that may arise, it will require at least six hundred men to garrison the forts in Charleston harbor; and it will also require a company permanently stationed at the mouth of Stono, and one near Georgetown; at least one, if not more, at and near Beaufort; in all eight hundred men. If there should be any continued agitation or apprehension of protracted war, then, of course, it would require many more. If the Confederate Government would receive this enlisted force with their officers, then they might constitute, for their term of service, the permanent garrison force on the seacoast of South Carolina. We happened to be the pioneer State in the great movements that have taken place in the last three months, and this force was suddenly raised under circumstances requiring the sternest character. They have served faithfully, and their General has been a brave and meritorious officer in the Palmetto Regiment through the Mexican war, and of great experience as Adjutant and Inspector General, appointed by the Legislature for many years. The other field officers and captains, with but a single exception, have also either served through the same war, or been graduates of West Point, and officers in the United States Army. It may then be said, as far as officers are concerned, to be as efficient a force for the number as can be obtained.

I, therefore, most respectfully urge that the Convention will effectually

ally guard and preserve their rights in any arrangement or disposition they may adopt in reference to their transfer to the Confederate Government. The high-toned and noble regiment, commanded by Colonel Gregg, was organized under resolutions adopted by your body. They were called forth at a time when we expected an immediate conflict of arms, and under the powers granted me by the Convention, I entrusted, to a great extent, their formation to their patriotic and gifted commander. The term of service for which they volunteered was only six months, and I believe they do not propose a longer term now, unless there should be some prospect of a more general state of hostilities. But I communicate with this a report from the Secretary of War, and refer to the details there presented for a more full account of the forces that have been employed. I most cordially adopt that report, and recommend its clear and truthful representations to the earnest attention of the Convention.

I send on, also, with this, copies of all letters that have passed, in relation to the military forces of this State, from myself to the President of the Confederate States, and the Secretaries of War and Navy, together with their replies. I make this communication in order that the Convention may fully understand all that has been done, and the particular interests involved. I doubt the right to make the transfer of these forces and fix the conditions that may be necessary, except through the Convention.

I also communicate, with this, reports from the different heads of Bureaus or Departments, and refer with great satisfaction to them, as not only showing the ability and faithfulness with which each one of them has administered the affairs under his particular charge, but also to show, that if the Executive has been at all successful in administering the duties of office, it was principally owing to the very able Council with which he was surrounded. It was by a resolution of the Convention that this Council was appointed. One of its most useful and patriotic members has been transferred to the Administration of the Confederate Government; and I have appointed the Hon. Edward Frost a member of the Council in his place. It was required by the resolution appointing this Council, that I should refer any nomination to your body for confirmation. I, therefore, now respectfully refer to you this nomination for your confirmation.

It will be seen by the report from the Treasury Department, that our expenditures have been \$640,317 (six hundred and forty thousand three hundred and seventeen dollars); of this amount, \$195,500 was

expended by the Ordnance Board. This includes what has been expended for ordnance and munitions of all kinds. As to all expenses incurred since the 20th December last, the day on which South Carolina seceded from the old Confederacy, I take it for granted the Government of the Confederate States will become responsible to us for the amount, as it was incurred in defence of a common cause, and particularly as the Confederate Government expressly assumed jurisdiction of all questions between us and any other Governments relating to defences and military operations.

It will be perceived that, through a communication from the Secretary of War at Montgomery, I was particularly requested to turn over all arms and munitions received from the Arsenal of the United States in this city, and also all other arms I might think proper. I suppose the ordnance and arms the State owned itself, which were purchased in 1850 and 1851, might with great propriety be retained by the State now; as also some small arms in the late United States Arsenal, essential to arm our volunteer force if called into service, ought to be retained; but all ordnance and munitions of war procured and purchased recently, might be very appropriately turned over to the Confederate Government; and I most respectfully call the attention of the Convention to this subject, as connected with any arrangement they might make in reference to the transfer of our regular forces to the Confederate States.

I herewith transmit the Ordinances and Resolutions of the different States that have seceded, and would call attention to the obvious propriety of providing for them, together with our own Ordinance on the same subject, some suitable place of safe deposit. They are the simple, but authentic records of events well calculated to produce a profound impression upon the future destiny of our country.

Heretofore in the history of the world, the great struggle has been to secure the personal rights of individuals. In former times, the power of government absorbed all individual or personal rights of citizens. But our English ancestors by their sturdy virtues, engrafted, at different periods, such grants and restrictions upon the British Constitution, as effectually secured personal rights, and as far as that branch of liberty is involved, they made it as perfect as in any other country.

To secure the political rights of separate and independent communities, required a higher and broader range of political experience. The guarantees for personal rights in England was a great advance over the old feudal system of Europe; and it was then left to the sepa-



rate States of America to develop a higher experience over a larger extent of territory, in those guarantees necessary to secure the local rights of separate and independent communities, united under one common government.

The old Constitution was intended to effect this advance in the science of government, and if it had been properly administered, would have continued to develop the mighty resources and power of a wonderful people. But, under the combination of ambition with fanaticism, they attempted to organize the great masses of the people, so as to act together in a consolidated majority, and administer the common government without regard to the sacred guarantees by which the local rights and interests of separate communities should be preserved under the absolute control of their separate governments. This, of course, reversed the whole philosophy of our peculiar system, and if permitted to become successful, would have given us no advance over the European system of government. In fact, it would have placed us behind them in progress, for many of their most enlightened and powerful governments asserted the doctrine and acted upon it, that governments and dynasties can be changed by popular sovereignty expressed through universal suffrage, in independent communities; and they avow this as a substitute for the old theory of divine and hereditary right.

Under our old articles of confederation the government had failed, and the Constitution of the United States grew out of the force of circumstances, and was adopted in order to secure, at that period, a more perfect union to enable us to resist foreign aggression. We have outgrown that state of things, and the danger lately was not from foreign aggression, but from internal corruption, and from an assumption in parts and majorities, of absolute government over other parts, without reference to the limitations and reservations of the compact. Thus, that Constitution ran its career and fulfilled its destiny, under the perverted and vitiated idea that we were a consolidated people. Under prejudices fostered by designing men, and under the worst passions inflamed by bad men, an absolute majority was created, who assumed that their will must necessarily be the government, instead of the fixed principles of the Constitution, which were intended to guard the local rights and interests of the separate and independent communities which composed the Confederacy of States.

Our State, true to the great principles upon which the Confederacy was formed, and true to those great and progressive ideas which were



so identified with American Independence, was forced to resume her original powers of government; and if she succeeds in engrafting the fundamental right of a separate and independent State to withdraw from any Confederacy that may be formed, whenever her people, in sovereign convention assembled, shall so decide, then she will have made another advance in the science of government, and added another guarantee to the great principle of civil liberty. And if this principle could be secured without an appeal to arms and blood, it would show that the country has progressed in civilization and intelligence, so far as to be able to settle all controversies and issues involving political rights by an appeal to reason, to interest, to free discussion, to conventions, to treaties and covenants, rather than by an appeal to brutal force.

True, we have encountered misrepresentation and abuse, and for a people so small in numbers as we are, to make such an issue as we did, was full of danger and difficulty.

But no people are fit to be free unless they are able to treat denunciation with indifference and to meet danger with fortitude.

From peculiar circumstances, South Carolina was called on to take the first step in this march to independence. She had to encounter the first shock in the bitterness and fierce passions of our opponents. Those who had mastered the power of the Government, and were fondly gazing on the rich and ripe fruit supposed to be just within their grasp, naturally exasperated in disappointment, caused by this State interposing to arrest them in their lawless career of mad ambition and wild fanaticism. For a period we were surrounded with great difficulties, and threatened with danger that appeared imminent.

As far as the Executive is concerned, I always considered that the peculiar mission of this State was, by a firm and temperate course, to lay the foundation of a new Confederacy of States, homogeneous in feeling and interest, with such institutions and domestic civilization as would unite them in one common destiny, with a government devoted to their peace and safety, and with no interest to produce the slightest aggression upon other people; but deeply interested to develop those productions that are so largely demanded in the peaceful pursuits of mankind, and entering so largely into the comforts and progressive civilization of the world.

When this State first withdrew from the Federal Union, I felt that we bore, on one side, critical relations to the Confederacy we had left, and also very delicate and peculiar relations to those slave States who

constituted the border of the Southern States, and we had still higher and more sacred duties and relations toward our sister States of the South, who were expected nobly to come to our side in the formation of a new Confederacy.

All these relations made our course quite complicated, and full of deep obligations. In administering the duties of the Executive office, I can truly say that I never, for one moment, lost sight of the relations our State bore to all, and it has ever been my endeavor, while sustaining her separate rights and independence, never to do anything that might show indifference to any of the great complicated interests and relations with which she was surrounded.

When your illustrious body adjourned, you saw the State standing alone, surrounded with peril, and clouds resting upon the future. Under the kind dispensations of a superintending Providence, I am now able to present her to you under a brighter day, surrounded by sister States rich in their resources, with their brave and patriotic sons standing as a guard in the portals of a new temple, reared by our common councils, and dedicated to the *separate sovereignty of free and independent States*.

F. W. PICKENS.

## REPORT OF THE SECRETARY OF STATE.

STATE OF SOUTH CAROLINA,  
EXECUTIVE OFFICE, DEPARTMENT OF STATE,  
CHARLESTON, 24th March, 1861.

SIR : In obedience to a resolution of the Executive Council, I beg respectfully to report to you such matters transacted in the department of the Executive Council under my charge, as may be of interest to the Convention.

The printed series of Executive Documents which accompany this report, will fully and sufficiently explain the circumstances which induced them. To these, no more particular reference is necessary, than such as it may be proper to make in explanation of the mission committed to the Hon. I. W. Hayne. The real purpose of that mission was to determine with precision the precise position occupied by the Government of the United States to the State of South Carolina. The repulse of the "Star of the West" changed, or rather defined more sharply, the former relations of the State; and the communication of the commander of Fort Sumter required that the power to execute a purpose like that threatened by him, should not be within the control of any one longer than was necessary to accomplish its overthrow. To demand the surrender of the Fort therefore, became a duty; and if a duty, to transfer the demand to the Government by which only the transfer could be ordered, was manifestly proper. In the prosecution of the demand, it was regarded as fortunate that circumstances not invited by the State, but yet commanding its respectful attention, should have intervened; and that these should have led to the exposure of the pretended grounds, upon which the maintenance of Fort Sumter was rested by the Government of the United States; and, at the same time, in a just deference to the wishes of sister States, have incidentally involved a delay of great consequence to the State in the preparation of its defences.

Among the papers of this Department which are not published, but which may be of interest, are the despatches communicated to the Commissioners of the State to the several States, then about to secede. These despatches show the interest taken in the welfare of that State

supposed to be the most defenceless. The Commissioner to Florida was requested to give to that State the assurance that its cause was regarded by the other States with as much solicitude as their own; and that in anticipation of the Convention of the seceding States, a common necessity should induce a common obligation on these States to share with each other the means of defence, or the dangers of attack. The more full expression of these opinions will be found in the copies of despatches herewith enclosed.

No occasion has arisen, in which it was considered necessary, during the separate condition of the State, to require distinctly from the representative of any Foreign Power the recognition of its political independence, except in the case of the appointment of a successor to the Spanish Consul, at this port. The communication then addressed to Mr. Moncado, will show the course pursued in regard to such officials within the State. Upon the ascertainment of the fact, that the President of the United States had recognized a successor to Mr. Moncado, a letter was addressed to that gentleman, informing him that his successor would not be allowed to exercise his office within the limits of the State, unless he would present his credentials, and be recognized by the Governor of this State. The hope was expressed that the Consul who was then in office should be allowed to remain at this port. The letter was communicated by the Spanish Consul to the Spanish Minister at Washington. The successor who was recognized, has not, however, appeared. At this stage of the correspondence, the papers were transferred to the Department of State at Montgomery.

The several documents, as directed by a resolution of the Convention, have been delivered to the representatives of Foreign Powers, at Washington. It was intended that a Special Commissioner should be sent to the principal Courts of Europe. But the meeting of the Convention of the seceding States at an early day, and other considerations, also, of a controlling character, led to the conclusion that, under the circumstances, it would be most expedient not to send any persons charged with that duty.

Respectfully, your obedient servant,

A. G. MAGRATH.

*For the Governor.*



## REPORT OF THE SECRETARY OF WAR.

EXECUTIVE OFFICE, DEPARTMENT OF WAR,  
CHARLESTON, S. C., March 25th, 1861.

TO HIS EXCELLENCY GOVERNOR PICKENS:

SIR: In compliance with a resolution of the Executive Council, requiring the several heads of Departments to make a report to your Excellency of such matters as may be necessary to give information of the present condition of the State, and of the policy and acts of each of the Executive Departments, since the adjournment of the Convention, I have the honor to lay before you a brief summary of what has been done in the Department with which I have been entrusted.

At the rising of the Convention, on the 5th of January last, the important and almost exclusive subject which engaged our attention was the occupation, by a hostile force, of an almost impregnable fortress within our harbor, and the chief difficulty with which we had to contend, arose from the extreme want of every offensive preparation for the reduction of the fort, or for preventing the entrance of reinforcements within our waters. The great want was the very insufficient supply of ammunition and implements for guns of heavy calibre. Of cannon powder, 27,000 lbs. only were in the possession of the State, and of this a considerable quantity had been sent to the batteries erected to defend the entrances to the harbors of Georgetown and Beaufort, which left less than 20,000 lbs. near this city, or not more than sufficient to have kept up a fire for three hours on the day when the "Star of the West" approached within our bar. Of shot and shell the supply was in the same meagre proportion, except of 24-pounder shot, which had been left at Fort Moultrie when that fort was evacuated by the troops of the United States. Added to this, the guns which had been spiked, and the gun carriages burnt, at Fort Moultrie, had not been replaced; not a battery had been erected which bore on Fort Sumter, and the approaches to the harbor were only defended by the uninjured guns at Fort Moultrie and three 24-pounder guns, mounted *en barbette*, on a hastily constructed and imperfect earth-work, on Morris' Island.



Since the time mentioned, the supply of cannon powder has been increased to 240,450 lbs.,\* with 40,000 lbs. of musket, and 46,900 lbs. of rifle powder. Besides this, a large quantity of ordnance stores, as shells, balls, friction tubes, percussion caps, lead, cartridge paper, cartridge bags, artillery, infantry and rifle equipments, have been purchased, and they are now on hand or in the course of construction and manufacture, through the indefatigable labors of the Board of Ordnance. During the same period, three 9-inch Dahlgren guns and seven 10-inch mortars have been purchased, together with six hundred and fifty Enfield rifles and five hundred Colt's navy revolvers.

The corps of Engineers have been likewise unremittingly employed in the construction of works for the reduction of Fort Sumter, and the defence of the entrances to the harbor. At Fort Moultrie, on Sullivan's Island, the injured guns have been replaced, and all, amounting to thirty-eight in number, of various calibres, have been protected by well constructed merlons; the magazine has been made bomb-proof, and other works have been erected for the security of the garrison. To the east of Fort Moultrie, on the same Island, the entrance to Maffit's channel has been defended by a battery of one 8-inch howitzer, two 32-pounders, and two 24-pounders. Between that battery and Fort Moultrie there is a mixed battery of three 10-inch mortars and two 32-pounders. West of Fort Moultrie, at about two hundred yards distance from the fort, a battery of two 10-inch mortars has been erected; and an enfilade battery of two 32 and two 24-pounders has been erected at a point of Sullivan's Island nearest to Fort Sumter. Besides these on Sullivan's Island, there are two 12-pounder guns and a full field-battery of artillery at Breach inlet, at the extreme eastern point of the Island.

On Morris' Island, at Cummings' Point, a battery of four mortars has been erected. Near this, a battery of three 8-inch columbiads, covered with heavy timbers and railroad iron. At the termination of the parallel, or covered way, there is a mortar battery of two mortars. These all bear on Fort Sumter. The channel is defended by a battery designated as battery G, of two 8-inch howitzers; by battery F, of two 8 inch howitzers and two 42-pounders; by battery E, of one 8-inch columbiad; by battery D, of two 8-inch columbiads; by battery C, of two 24-pounders; by battery B, of two 24 pounders; by "Star of the

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\*This does not include 25,000 lbs. of powder purchased at Richmond, as cannon powder, but which is of little use except for blasting purposes.

West" battery, of four 24-pounders; by sunken battery of two 9-inch Dahlgren guns; by a battery at Vinegar Hill, of two 24-pounders; and by two 24-pounders and two 12-pounders at Light House inlet.

At Fort Johnson, on James' Island, there are two mortar batteries, of two 10-inch mortars in each, and one gun battery of one 24-pounder.

At Fort Palmetto, on Cole's Island, near the mouth of Stono river, there is a battery of two 24-pounders and two 18-pounders.

At Battery Island, on Stono river, four 24-pounders have been ordered to be placed in battery.

A mortar battery of three mortars is in the course of construction near Mount Pleasant.

A floating battery, strongly made, and cased in front with iron plates, has been constructed to breach the facade of Fort Sumter, towards James' Island. This battery has been mounted with two 42 and two 32-pounders.

Besides the above-mentioned guns in position, there are thirty-nine guns of different kinds and calibres, at the Citadel, most of which are not mounted, and there are four heavy 10-inch mortars just received, and one 9-inch Dahlgren gun expected momentarily from Richmond.

To man the different batteries and fortifications mentioned, and to prevent the landing of a hostile force on Sullivan's and Morris' Island, the troops are distributed as follows: On Sullivan's Island, there are thirteen hundred and ninety-four men, consisting of artillery, infantry and a detachment of dragoons, the whole under the command of Brigadier General Dunovant. On Morris Island, there are thirteen hundred and fifty-six men, consisting of artillery and infantry, under the command of Col. Maxey Gregg. At Fort Johnson there are one hundred enlisted men, under Capt. James; thirty-one enlisted men, under Lieut. Blanding, at Castle Pinckney,\* and one hundred and forty-six men, composed of artillery and infantry, under Capt. Pope, at Fort Palmetto, making in all, three thousand and twenty-seven men; which force has been placed under the command of Brigadier General Beauregard, an officer of the army of the Confederate States of America.

Under the resolution of the Convention, authorizing your Excellency "to receive into the service of the State, for a period not exceeding

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\* These have been removed since the last report, in order to provide a temporary station for a number of recruits just enlisted for the army of the Confederate States.

six months, such Volunteer Companies as may tender their services," a Regiment, under the command of Col. Maxcy Gregg, was promptly raised, which amounted at the date of the last Morning's Report, to one thousand and fifty-nine men, including officers.

Under another resolution of the Convention, authorizing your Excellency to raise a regiment of enlisted men, and an Act of the Legislature, amending a resolution of the Convention, "creating a Military Establishment for the State of South Carolina and for other purposes," which authorizes the raising of a Regiment of Infantry, a Battalion of Artillery, and a Squadron of Cavalry, nine hundred and sixty men have been enlisted, and are now on duty, under the command of Brigadier General R. G. M. Duncvant.

By an Act of the Confederate States of America, entitled, an "Act to raise Provisional Forces for the Confederate States of America," it is provided that the President be authorized to receive into the service of that Government, such forces, now in the service of the States, as may be tendered, or who may volunteer by consent of their State, by companies, battalions or regiments, for any time not less than one year, with power in the President of the Confederate States to appoint the officers above the rank of Colonel. As this Act of the Confederate States comes in conflict with certain laws of the State of South Carolina, and as it is probable that in any constitutional compact which this State may enter into with other States, the maintenance of troops, in time of peace, will be prohibited, I would suggest to your Excellency the propriety of recommending to the Convention such modifications of our laws on the subject, as may relieve it of its present embarrassments.

Under "An Act to provide an Armed Military Force," nine Regiments of infantry have been received and organized into four Brigades and one Division. This formation does not include two Regiments now in the process of organization, or the troops of the City of Charleston. The country troops already organized have been very impatient under the restraints necessary to keep them in reserve for a period of greater trial to the State, if that should unhappily occur; but it has hitherto been thought advisable not to muster them into service, as no one could anticipate what line of military operations it would be expedient to adopt, or where, or in what manner, our enemies might attack us, and as the number of troops necessary for the exigencies of the service were supplied by the patriotic devotion of the militia of Charleston, with the addition of a spirited corps of artillery from Columbia; the order to call the others down to this point has been sus-

pended from time to time, in almost daily expectation that the state of armed preparation would cease, or that a larger force would become necessary. The financial objection was also not without weight, as the Legislature has not been profuse in its estimates for the number of men even now in the field, and the call for the volunteers for twelve months would entail a very considerable additional expense to the State, as well as occasion great sacrifices to the individual members composing the country troops.

The Departments of the Quartermaster General and of the Commissary General, those common sources of complaint in an army, have been satisfactorily conducted by the active and competent officers at the head of those Departments. The duties of the Quartermaster General have been largely increased by the frequent and unusual calls upon his Department from the varied nature of the operations carried on for several months; and the expenses have been necessarily large, from the means employed for transporting troops, provisions and materials to the different posts in and near the harbor of Charleston. I am gratified to be able to state, on the authority of the Commissary General, that notwithstanding the comparative high prices of provisions, occasioned by the unusual demand, the cost of a ration has been, so far, below nineteen cents.

The arrangements of the Department of the Surgeon General have been equally satisfactory; and it gives me much satisfaction to report that the health of the troops has been excellent.

I am unwilling to close this report without making more particular mention of the spirit and efficiency of the troops now in the service of the State. I have never seen a better class of recruits than those recently enlisted into our service; and under the training of their very competent and diligent officers, they, especially the first enlisted, have become well drilled and steady soldiers.

It was very gratifying to witness the alacrity with which the volunteers for six months answered the call of the Convention for their services, and thereby fully entitled themselves to the appellation of "Minute Men," under which name they had organized themselves. Since they have been mustered into service they have shown the utmost patience of discipline; and whether at the drill, or in the trenches, they have come fully up to every requirement of a citizen soldier of South Carolina. These companies, drawn suddenly from the interior of the State, are composed of the best material in their respec-



tive districts; and I venture the assertion, that a more efficient or superior regiment has seldom been assembled under one standard.

Of the militia of the City of Charleston, and of the Company of Artillery from Columbia, I cannot speak too highly. 'It is a constant source of pride and pleasure to witness their prompt obedience to every command, their willing performance of every duty, however unsuited to their previous modes of life, and the ready sacrifice of their private interests to the higher call of duty to their State; and it would appear that there was a generous emulation amongst them who could endure such sacrifices and privations the longest without a murmur.

The same patriotic feeling of self-abnegation has been exhibited by the citizens of Charleston not on duty, many of whom, engaged in business involving large risks, have endured for months the loss of service of their employees, whose wages they have continued, but who cheerfully acquiesce in the sacrifice of their means, with the reflection that their first duty is to the country. I have had many opportunities of being assured, during my present situation, that the same feeling of disinterested patriotism is not confined to this city, but extends equally to every portion of the State.

I am, sir, with great respect,

Your obedient servant,

D. F. JAMISON.



## REPORT OF THE SECRETARY OF THE TREASURY.

EXECUTIVE OFFICE, DEPARTMENT OF THE TREASURY,  
CHARLESTON, March 25th, 1861.

TO HIS EXCELLENCY F. W. PICKENS:

DEAR SIR: In compliance with your direction, that a brief summary of the transactions of this Department should be furnished for the information of the Convention, I beg leave to submit the following statement:

Immediately after the Act of Secession, the Legislature provided for the exigencies of the State by authorizing a loan of \$400,000, bearing an interest of six per cent. Of this sum, \$150,000 was appropriated to the Ordnance Bureau, and \$250,000 to the military defence of the State.

The Banks of the State promptly took up this loan at par, and thus afforded an immediate supply to the Treasury. The patriotic disinterestedness which prompted the action of those institutions is greatly enhanced by the circumstances under which they took up the loan. At that time, South Carolina alone had seceded from the Government of the United States, and anxiety prevailed as to the future. Universal panic had prostrated all public and private securities throughout the United States. Proposals for a six per cent. loan by the Government of the United States were met by offers, ranging from ten to thirty-five per cent. discount, and the urgent demands of their Treasury could be supplied only by Treasury notes, at twelve per cent. interest. All stocks and public securities had reached a point of almost unsaleable depression. It was during this prevailing despondency that the Banks of the State, unmindful of interest, and regardless of discouragement, made the patriotic contribution for the safety and honor of the State.

Under the Act to establish a Coast Police for South Carolina, the Legislature authorized an additional six per cent. loan for \$150,000. No part of this loan has been offered for sale.

By another Act, the Legislature directed the issue of certificates and bonds to the amount of \$675,000, at seven per cent. interest, for the "Military defence of the State." The current disbursements of

this Department have been anticipated by sales on account of this loan to the amount of \$187,000, at par.

The sale of these bonds has been impeded by the low rate at which bank and railroad stocks and railroad bonds, and by the discount at which even the six per cent. stocks of the State can be purchased. That the loan is offered in the form of coupon bonds is an objectionable circumstance. But this is obviated by the confident expectation that when the temporary purpose of that form of security shall be fulfilled by the taking up of the loan, the Legislature, at its next session, will convert the bonds into stock; and with very many the loan for the "Military defence of the State" is preferred, from that consideration, to the petty advantage of interest which other investments may hold out.

The offer of the Confederate loan presents the chief impediment to the sale of the loan for the Military defence of the State. The very large interest of the Confederate loan, its ample security, and above all, that it is designed for the common defence, combine inducements of interest with motives of patriotism, for its preference. Since the Provisional Government has taken jurisdiction of all questions between the several States and the Government of the United States, and assumed the charges of the defence of the Confederate territory, and has offered to take from the State of South Carolina all the ordnance, arms and munitions of war which it may see fit to transfer to that Government, the necessity for the sale of the bonds of this State is less urgent, and they have not been pressed upon the market. Besides, the Bank of the State, with its wonted readiness to assist the finances of the State, has given the assurance that it will, by advances, prevent any temporary embarrassment of the Treasury.

With this assurance, and the certain prospect that the Confederate loan will be taken up as soon as the books are opened for that purpose, and that, then, this State will be discharged of the expenses for its military defence, this department has been relieved from apprehension of any future financial difficulties. Soon the expenses which have been incurred for the military defence of the State, will be refunded by the Confederate Government, and the people relieved from the pressure of them. And then, when the Confederate Government shall be firmly ordered and settled, and harmony and peace prevail, instead of intestine strife and dissension, and when the people of the slaveholding States, vindicating their social and national character against the persistent and malicious libels of their former confederates, shall be

restored to their own self-respect, and by the exhibition of moderation, wisdom and valor, shall command the respect of the nations of the earth, it will be a satisfaction to remember the perils and sacrifices by which their sovereignty and independence have been, a second time, asserted and maintained.

Donations have been received to the amount of \$22,275. It would be ungracious to notice these generous gifts, only as an item in our account. They are free-will offerings to liberty, from hearts that heave with patriotic emotion. No taint of vanity or selfishness infects them. The public acknowledgment which was made of the first donations, caused future donations to be made with the injunction that the names of the donors should not be published. Though it may not be in accordance with the generous impulse which prompted the first donation of ten thousand dollars, by Mr. Benjamin Mordecai, of this city, it is proper, for the moral influence of the example, that an act of so great munificence should, on every fit occasion, receive its meed of public gratitude and honor.

The contributions of labor by the planters, and their personal superintendence of their slaves, are also the subject of grateful acknowledgment, and should not be omitted in this statement of the resources of the State for its defence. The most liberal offers were received, and a number of laborers, greatly exceeding the want for them, was always made at the call of the State. As many as could be advantageously employed were constantly in the service of the State, in the construction of the defences of the harbor, until the recent advance of the spring has suspended the call.

#### SUMMARY OF RECEIPTS AND DISBURSEMENTS.

<i>Received</i> from the first loan.....	\$250,000 00
“ “ the loan for the “Military defence of the State”.....	187,000 00
“ “ donations.....	22,275 00
	<hr/>
	\$459,275 00

<i>Expended</i> —Miscellaneous charges, includ- ing pay of the troops, &c., &c.....	\$101,606 00
Quartermaster's Department.....	201,472 00
Commissary's Department.....	76,520 00
Contingent expenses and unclassified charges.....	6,431 00

For Coast Police and Naval Service.....	44,853 00
Recruiting Service.....	13,935 00—\$144,817 00

By a communication from the Board of Ordnance to his Excellency the Governor, it appears that that Board has expended \$195,500 in the purchase of ordnance, arms, equipments and munitions of war. This exceeds the sum of \$150,000, which was appropriated by the Legislature to the Ordnance Bureau; but the expenditures being necessary for the "Military defence of the State," will constitute a charge on the appropriation for that purpose, which this department must defray.

I am, with great respect,

Your obedient servant,

EDWARD FROST,

*Secretary of the Treasury.*

## REPORT OF THE SECRETARY OF THE INTERIOR.

STATE OF SOUTH CAROLINA,  
EXECUTIVE DEPARTMENT, OFFICE OF THE INTERIOR,  
CHARLESTON, March 26th, 1861.

TO HIS EXCELLENCY GOVERNOR PICKENS:

SIR: In obedience to a resolution of the Council, I submit the following Report from the Department which was assigned to me in the distribution of the Executive labors.

As to matters falling within the Department of the Interior proper, it is hardly necessary for me to say anything, nothing having occurred in relation thereto which deserves special notice.

The most important matters connected with this Department, and to which its chief attention has been directed, have been the Sea Coast Police, and the Sea Coast Defences of the State. At an early day after your Excellency assumed the duties of the Executive, Colonel Gwynn was ordered by your Excellency to make a reconnoissance of the sea-coast of South Carolina, and select such points as, in his judgment, should be fortified for the purpose of defending our territory against marauding parties, who might come into our waters in small craft, to commit depredations upon the property of our citizens. The defence of our long line of sea-coast against an enemy *en force* was not contemplated. To render such defences effectual, would require means beyond the resources of the State. The general character of our sea-coast is such, that it presents few obstacles to the landing of troops, at almost any point, in small boats. Its whole line is intersected by numerous inlets and creeks, of easy access to small craft. Besides, there are many deep and bold rivers into which vessels of large draft may safely enter. While, therefore, our sea-coast would be much exposed to the ravages of an enemy, the difficulty of guarding effectually its whole line with fortifications is insurmountable. The object had in view was to erect works, principally of earth, to guard those entrances which were most accessible, and which could be most easily defended, not against an enemy *en force*, but against marauding parties, who, it was supposed might, in the event of hostilities between the two sec-



tions, descend upon our coast in vessels of light draft to commit acts of depredation and violence.

A reconnoissance of the coast, from the mouth of Little river, near the North Carolina, to Callibogue Sound, near the mouth of the Savannah river, has been made by the Engineers in charge; and at many of the points indicated, redoubts and other works have been erected. Many of these works have been completed, and others were in progress, when the Government at Montgomery assumed the charge of our military operations and defences. With the exception of the fortifications commanding the entrance into Winyaw Bay, none of them have been garrisoned. These works were the first that were completed, and, under the energetic supervision of Colonel Alston, were provided at an early day with ordnance and ordnance stores, and also garrisoned by a sufficient number of troops to man the guns. Since the action of the Congress at Montgomery, which put our operations under the charge of the Provisional Government, little has been done towards the completion of the works which were at that time unfinished. These defences of the coast have been erected at comparatively little cost to the State. The planters in their vicinity have, with commendable liberality, in the majority of cases, gratuitously furnished the labor required to erect them.

For a more particular description of these various works, I refer to the reports of the Engineers in charge, and especially to the reports of Colonel Charles Alston, Jr., and Colonel Elliot, who had the general direction of them, under orders from your Excellency. At the request of your Excellency, and in company with Captain Hartstene, who was ordered to make a report on this subject, I made, in the month of February last, an inspection of these works, from Georgetown to the mouth of the Savannah river. I refer to his report as containing a more particular statement of the progress which had been made towards their completion, and also of what was further required to render them as efficient as the circumstances would admit of.

At the time when I assumed the duties of this Department, your Excellency had already established a Police for Charleston harbor—first, to prevent a change in the *status* of the forts; and, secondly, to prevent reinforcements being introduced into Fort Sumter. After the occupation of Fort Sumter by Maj. Anderson, and before the erection of batteries on Morris' Island, this police was chiefly relied on to prevent that fortress being reinforced. It was, therefore, thoroughly organized, and rendered as efficient as possible with the means at our

command. Small boats were stationed by day near the bar, for the purpose of keeping watch upon vessels approaching our harbor, and if at all suspicious, to examine them, and by means of signals arranged for the purpose, to notify the different posts in the harbor of their real character.

A night police was also established, consisting of the most suitable vessels that could be procured, having on board detachments of armed men, with orders to cruise during the night time near the bar, and keep a vigilant look out for the enemy, and repel any attempt to reinforce Fort Sumter with all the means in their power. To their vigilance may be justly accorded a share of the honor of the successful repulsion from our waters of the "Star of the West" by the battery on Morris' Island. Her approach was observed and signalled to that post.

This Police was committed principally to the charge of the officers of the United States Navy, who had resigned and tendered their services to the State. And it is due to these gallant officers that I should say, that in this capacity, humble though it be, compared with the stations which they had before filled in their country's service, they have, in every instance, entered upon the discharge of their duties with alacrity and spirit, and rendered most important service to the State.

It is also proper that I should make favorable mention of the services which have been rendered in this Department by the young men who abandoned the Naval School of the United States, and tendered themselves to the State. They were assigned to this Police, and have been constantly employed in its service. During the greater part of the time, James H. North, late Lieutenant in the United States Navy, has had the command of this force. Immediately on his arrival here, he was appointed to this service with the rank of Captain in the South Carolina Navy, and has performed his duty with promptness and ability.

The Legislature, at its last session, passed "An Act for the establishment of a Coast Police for the State of South Carolina," which enacted that the Governor should purchase or procure three vessels of light draught, to be propelled by steam and canvas, and to be armed with one or more guns, and otherwise equipped, so as to be made an efficient police for the coast and inlets of the State. To carry out the provisions of this Act, the sum of \$150,000 was appropriated. In order to remove the embarrassments which it was supposed might arise in restricting the Governor to the purchase of vessels of a particular description, a resolution was also passed by the Legislature, authorizing him, in

effect, to procure such vessels as he might deem fit for the service proposed, provided no larger sum than the \$150,000, appropriated by the Act referred to, should be used for the purpose.

In order to carry out the object of this Act and Resolution, I appointed a commission, composed of scientific and practical men in the City of Charleston, to examine all the vessels in Charleston harbor, and also to make inquiry elsewhere, and report whether any could be procured which were adapted to the service intended. Their report satisfied me that there were no vessels in our waters which were suitable in every respect, and which could be bought on reasonable terms. It was believed that they might be purchased at the North, but, after diligent inquiry, only one could be found that it was thought expedient to purchase: the "James Gray," an iron propeller, built for the navigation of James River. Lieut. Dozier was despatched to Richmond, and negotiated the purchase of this steamer at the price of \$30,000, to be delivered at Charleston. She has since been fitted out under the name of the "Lady Davis," and carries two twenty-four pounder howitzers on her decks. Under the Act referred to, enlistments of seamen were begun, and had reached the number of thirty, when it was thought best to suspend any further effort to complete this organization, on account of the action of the Provisional Congress looking to the establishment of a navy for the common Government. These enlisted seamen have served to relieve the detachments of volunteers which have been detailed for duty as a night guard in the harbor, and are now employed in that service. For a statement, in detail, of the vessels employed in the Coast Police, the officers and crews of each, and of the officers of the United States Navy who have resigned and entered the service of the State, and also their rank, I refer to the report of Captain James H. North, dated the 4th March, and on file in the Executive office. It is believed that two additional steamers of lighter draught than the "Lady Davis," and having proper *armaments*, would be sufficient for the Coast Police of this State—that is, to cruise along our coast and into our inlets, with a view to intercept lawless incursions into our territory. Without such vessels, some of the entrances along our coast will be entirely unguarded. This is especially true of Port Royal entrance and St. Helena Sound. These cannot be defended by means of batteries on land; and unless armed vessels are provided for these waters the adjacent country will be left entirely exposed. This matter, it is understood, has already been considered by the Secretary of the Navy at

Montgomery, and suitable vessels, it is believed, will soon be procured for the service indicated. In conclusion, I have the pleasure to state that, in my judgment, with the small means at their disposal, and under the pressing necessity of concentrating the resources of the State for the defence of Charleston harbor, which thus far has been the theatre of our larger military preparations, everything has been done which was practicable, by the State authorities, for the defence of the sea-coast of the State.

Respectfully submitted,

A. C. GARLINGTON,

*Secretary of the Interior, including Sea-coast Defences.*



## REPORT OF THE POST OFFICE DEPARTMENT.

STATE OF SOUTH CAROLINA,  
POST OFFICE AND CUSTOMS BUREAU,  
CHARLESTON, March 26th, 1861.

SIR: I beg leave to say, that in the department to which I was assigned by your Excellency, as one of the Executive Council, I have very little to communicate that will be necessary for you to communicate to the Convention of the People of this State.

The Postal arrangements have been continued as they existed at the time of the secession of the State from the late Union.

After the Ordinance of the Convention continuing the officers of the Post Office Department as before, upon the application of several Post Masters for instructions, I issued a circular instructing them to make their returns and accounts to the Department at Washington as previously, so long as the mails were transported under their contracts and authority. This course has been pursued so far as I know, and as yet I have been aware of no interruption of mail facilities in the State.

In relation to the delivery and receipt of the mails to and from Fort Sumter, under your direction, I proposed to Major Anderson to have them delivered to, and by his boats, at Fort Johnson, to which he assented; the necessary orders were issued for this purpose, and in this way mail communication has been kept up, without complaint, so far as I am aware, with that post.

The papers and correspondence on this subject will be found embraced in the correspondence between Hon. A. G. Magrath, of the State Department, and Hon. J. Holt, Postmaster General at Washington, and have already been made public. That portion of Customs with which my department was connected, was in reference to Light Houses and buoys in the harbor and coast, and with the vessels connected with that service.

Under your direction, soon after the evacuation of Fort Moultrie by the garrison of the United States and their possession of Fort Sumter, I directed the lights in the harbors of Charleston, Beaufort and Georgetown to be extinguished, and the buoys in these harbors respectively to be removed, in order to prevent by these means, as far as



practicable, the supplies of provisions, men, &c., to Fort Sumter, as well as to prevent hostile ships from coming into our waters. This course is still pursued, as I learn from those now in authority. Upon the organization of the Provisional Government of the Confederate States, and the Treasury and Post Office Departments thereof, I felt that my duties in the department to which I had been assigned by your Excellency had determined, and I consequently requested the officers both of the Customs and Post Office, with whom I had been connected, to report and advise with the respective heads of departments of the Confederate States, which has been done.

It gives me great pleasure, in closing this report, to bear my cheerful testimony to the efficiency, discretion and promptness of the gentlemen at the head of the Post Office and Customs, respectively, in the City of Charleston, and thus publicly tender them my thanks (which I have done privately) for the cheerful assistance and suggestions which I have at all times received from them, in the discharge of the duties of the position assigned me.

I have the honor to be,

Very respectfully,

Your obedient servant,

W. W. HARLLEE.

TO HIS EXCELLENCY F. W. PICKENS.

REPORT OF THE COMMITTEE ON THE MILITARY;  
WITH THE ACCOMPANYING RESOLUTIONS.

The Special Committee on the Military, to whom was referred so much of the communication of his Excellency Gov. Pickens, and accompanying documents, as relates to the transfer of enlisted troops, arms, ordnance and munitions of war, to the Government of the Confederate States, to the Coast Defences and Volunteers in the service of this State, and the resolution of Mr. Orr as to the troops raised for the defence of this State, &c., beg leave to

## REPORT :

That they have had the matters referred under consideration, and the matters which specially engaged their attention were, *first*, the number and amount of arms, ordnance and munitions of war which it was proper to transfer, and the mode of settlement therefor. They have deemed it expedient to turn over to the Confederate Government all such as have been purchased since the 20th December last and are now in our possession, and such other arms, ordnance and munitions (including those taken in the forts and arsenals in this State lately in the possession of the United States Government) as the Governor and Board of Ordnance may deem it advisable to transfer with a due regard to the safety and defence of this State.

*Secondly.*—The transfer of the regular enlisted troops now in the service of the State to the Government of the Confederate States. This your Committee are of opinion should be done without delay; but, in doing so, the Governor should insist upon the preservation of their present organization and the maintenance of the rank of the officers, if practicable so to do under the provisions of the Act of the Congress of the Confederate States, entitled an “Act to raise Provisional Forces for the Confederate States of America, and for other purposes.”

This we have the assurance, in the communication of his Excellency, will be urged by him as far as practicable.

*Thirdly.*—The tender of volunteers to the Confederate States, and providing for their entering the service of the Confederate States,

under the Act of Congress referred to. Your Committee have arrived at the conclusion, that while the assent of this State should be cheerfully yielded under the provisions of the Act of the Confederate Congress, yet it is but proper that preferences should be given to the forces already in service and those now organized under the Act of the Legislature of this State at its last session.

The propriety of this course is so manifestly just to these forces, their efficiency, discipline and preparation so fully completed, and the promptness by which, with their tender and consent, they can be thrown into the field, that your Committee deem it unnecessary to discuss it at length. In case these forces do not furnish a sufficient number to answer the call of the President of the Confederate States, then it follows that volunteers from other sources can tender their services to supply the deficiency; but your Committee apprehend no such contingency, under the resolutions they submit on these subjects.

The reports of Gen. D. F. Jamison, of the War Department, and of the Hon. A. C. Garlington, of the Interior and Coast Defence, furnish valuable information as to the condition for defence the State now occupies, that your Committee recommend that five hundred copies of each be printed for the use of this Convention, and for distribution thereby.

There is one other subject that has occupied the attention of your Committee, incidentally connected with the matters referred to them, and that is the mode of payment we are to adopt by which this State is to be paid, and reimbursed for her military expenditures, &c., since our Act of Secession. Your Committee are of opinion that for such portion of the amount which will be due this State by the Confederate Government, upon a settlement for our disbursements, should be received in the Bonds of the Confederate States, now about to be issued under the fifteen million loan provided for by Act of the Confederate Congress, except what will be necessary to prevent embarrassment to the finances of our Treasury, and they beg leave to recommend the adoption of a resolution herewith submitted on that subject.

Your Committee, therefore, beg leave to report the accompanying resolutions, and recommend their adoption.

All of which is respectfully submitted,

W. W. HARTLEE, *Chairman.*

**RESOLUTIONS** to provide for the transfer of arms, ordnance and munitions of war, by this State to the Government of the Confederate States of America.

*Resolved*, That the Governor be and is hereby authorized to transfer to the authorities of the Confederate States of America all of the ordnance, arms and munition of war, which have been purchased by the authorities of this State, and now in her possession, since the twentieth day of December last, except such as he, with the Board of Ordnance, may think it advisable to retain, upon payment to the State of the cost and expenses thereof, or securing such payment to the satisfaction of the Governor and Council. That he also, by and with the advice and consent of the Board of Ordnance, transfer to the said Confederate Government all of the arms, ordnance and munitions of war which have been taken in the forts and arsenals of this State, lately in possession of the Government of the United States, except such as, in their discretion, should be retained for the use and defence of the State, taking therefor such receipts and assurances as will secure to this State the value thereof, or will indemnify the State in any accounting which may hereafter be had with the United States Government.

And that the Governor and Board of Ordnance be authorized and directed to turn over all the arms, ordnance and munitions of war to the authorities of the Confederate States, in possession of this State, upon payment therefor, or securing such payment, which, in their discretion, can be spared consistently with the safety and defence of this State.

**RESOLUTION** to provide for the transfer of the regular enlisted troops of this State to the Government of the Confederate States.

*Resolved*, That it is proper that the regular troops which have been enlisted in the service of the State, should be transferred, for the remainder of their term of enlistment, to the service of the Confederate States; but that in doing so, justice requires that all the officers should receive commissions of the same grade for at least the period of enlistment of the troops, and that the Governor of the State be authorized to make arrangements accordingly for such transfer with the President of the Confederate States, and to endeavor to preserve, if practicable, the rank of all the officers.

**RESOLUTIONS** to provide for tendering a Volunteer Force to the Confederate States

*Resolved*, That it is the sense of this Convention that the sudden



call which was gallantly answered by the First Regiment of South Carolina Volunteers, now in the service, and the valuable services which that Regiment has rendered, give it a just claim to an honorable discharge, as soon as the pressing exigency of State affairs will, in the judgment of the Governor, permit; but that, if it should be the desire of the said Regiment to prolong its service, then it shall have the privilege of being the first corps transferred to the service of the Confederate States, upon making the necessary change in their term of enrollment; and that if the whole Regiment shall not desire to extend the term, but a number of companies and men sufficient, with the aid of prompt recruiting, to form an efficient regiment, shall choose to do so, they shall have the same privilege, and shall retain the regimental name and colors.

*Resolved*, That if the services of the First Regiment shall not be needed in the field for the whole of their term of six months, the Governor may, at his discretion, permit the whole or any part of the Regiment to return to their homes, subject to his call whenever it may be requisite during the said term—their pay and allowance being suspended while so at home—and that in the event of a treaty of peace being made between the Confederate States and the United States before the expiration of the said term, the Governor shall be authorized to disband the said Regiment.

*Resolved*, That whenever a volunteer force shall be called for by the Government of the Confederate States, the Governor be authorized to call for as many regiments of the twelve months' volunteers already organized as may be needed; and that if the said regiment shall consent to go into the service of the Confederate States, they shall be transferred accordingly; and if the whole of any regiment shall not so consent, but companies and men enough shall do so to form, by aid of recruiting, an efficient regiment, such regiment shall be transferred in the same manner: *Provided*, that preference shall be given to the said regiments in the order in which they now rank.

*Resolved*, That in case a sufficient number be not raised from these organizations, then any other companies, battalions or regiments are hereby authorized to volunteer and tender their services till the requisite number is supplied and received.



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments, to the fifth day of April, in the same year.

## RESOLUTIONS

Suggesting amendments to the Constitution of the Confederate States.

*Resolved*, That so soon as the Government of the Confederate States of America, created by the "Constitution" which has been now ratified, shall be securely established, and in peaceful operation, the State of South Carolina ought to "demand" that (two other States concurring) the Congress shall summon a Convention of all the States, to take into consideration the following amendments to the said Constitution, to wit: 1. To amend the second section of the first Article by striking out from the third clause thereof the following words, to wit: "which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years," and the words, "three-fifths of all slaves," and inserting after the words, "respective numbers," the words, "*including slaves*." 2. To strike out the second clause of the eighth section of the first Article, and insert: "The Congress shall not contract any debt except for war purposes; and all expenditures in excess of revenues from imports (which shall not exceed fifteen per cent. *ad valorem*) and other sources, shall be met by direct taxation, to be provided for by the Congress authorizing the expenditure." 3. In lieu of the first and second clauses of the ninth section of the first Article, to insert the following: "Congress shall have power to prohibit the importation or introduction of slaves from any region not a State or Territory of this Confederacy." 4. To amend the third section of the fourth Article by adding to the first clause thereof, the words: "Nor shall any State in which African slavery does not, by law, exist, be admitted, without the consent of all the States, expressed through their respective Legislatures."

Done at Charleston, the fifth day of April, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON,

*President of the Convention.*

Attest: B. F. ARTHUR,

*Clerk of the Convention.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments to the eighth day of April in the same year.

## A RESOLUTION

To authorize a subscription to the Confederate Loan.

*Resolved*, That the Governor be authorized to subscribe, at his discretion, to the proposed Confederate Loan, not exceeding its par value, a sum not exceeding the estimated claim of this State against the Confederate Government: *Provided*, It be previously arranged with the Confederate Government that payment for the subscription shall be made in the settlement of the claim of this State against that Government, for the expenses incurred for the military defence of the State, and for the cost of the arms, ammunition, &c., which may be transferred by this State to the Confederate Government.

Done at Charleston, the eighth day of April, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON,

*President of the Convention.*

Attest: B. F. ARTHUR,

*Clerk of the Convention.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments to the ninth day of April in the same year.

## A RESOLUTION

Authorizing the Governor to commission officers of Volunteer Companies in certain cases.

*Resolved*, That the Governor be, and he is hereby, authorized to commission the officers of any Volunteer Company which may be formed in any of the Districts adjacent to the sea-coast, for local service: *Provided*, That no such commission shall be issued without the written consent and approbation of the commanding officers of the Regiment, Battalion and Company respectively, within the limits of which such Volunteer Company shall have been formed: *And provided, also*, That such commissions shall not continue longer than ten days after the close of the next regular session of the Legislature: *Provided, also*, That the said companies shall consist of not less than thirty rank and file, besides commissioned and non-commissioned officers.

Done at Charleston, the ninth day of April, in the year of our Lord one thousand eight hundred and sixty one.

D. F. JAMISON,

*President of the Convention.*

Attest: B. F. ARTHUR,

*Clerk of the Convention.*

## THE COMMITTEE ON FOREIGN RELATIONS

To whom were referred the communication of the Secretary of State and accompanying documents, beg leave to report : .

That they have examined the same, and recommend that the usual number of copies of the Secretary's Report be printed for the use of the Convention, and that five hundred extra copies be printed for distribution.

As all of the accompanying documents of any importance have already been published, your Committee deem it unnecessary to recommend the printing of any of them.

Respectfully submitted.

WM. PORCHER MILES, *Chairman.*

REPORT OF THE COMMITTEE ON PRINTING, AS TO  
LITHOGRAPHING ORDINANCE OF SECESSION.

The Committee on Printing beg leave to report :

That, at the recent session of the Convention, having had referred to them a resolution contemplating the lithographing of the Ordinance of Secession, they made a report indicating the terms upon which the work could be done, but which report was not reached in the order of business before the adjournment of the Convention. Since then, Messrs. Evans & Cogswell, Printers to the Convention, acting upon the indications, as manifested by the report, to have the Ordinance lithographed, have had the work done in a style creditable to the art; and by a careful comparison with the original, the Committee find it to bear a very notable similarity to it.

These gentlemen having had the work done in such a faithful and creditable manner, and as they supposed in accordance with the wish of Delegates composing the Convention, the Committee deem it due to them to recommend the adoption of the following resolution :

*Resolved*, That two hundred lithographic copies of the Ordinance of Secession be furnished by Messrs. Evans & Cogswell, for the use of the Convention, to be disposed of under the direction of its President; and that two hundred dollars be allowed and paid them, by the Treasurer of the Lower Division, as compensation therefor.

All of which is respectfully submitted by the Committee.

PAUL QUATTLEBAUM,

*Chairman.*



## REPORT OF ENGROSSING COMMITTEE, AS TO PUBLICATION OF SECRET JOURNAL.

The Committee on Engrossed Ordinances, to whom it was referred :

*First*, To inquire and report " what resolutions and orders of the Convention, passed in secret session, and how much and what portion of the secret journal, may now be made public without impropriety ; " and

*Secondly*, To consider and report upon the following resolution, to wit : "*Resolved*, That the injunction of secrecy be removed from the proceedings and debates of this Convention on the Constitution of the Confederate States of America ; and that the journals of this Convention and of its proceedings thereon, shall be published under the supervision of the President of this Convention, so soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of the Congress assembled at Montgomery, which formed said Constitution," having considered these matters, beg leave to

## REPORT :

That they were attended by the Clerk of the Convention, and with him carefully and minutely perused the journals of the secret sessions of this body, from the 22d day of December, A. D. 1860, when the Convention first sat with closed doors, until the present time. They find that the injunction of secrecy has already been removed from the Ordinances and the more important Resolutions which have been adopted. Your Committee cannot say that the removal of the injunction of secrecy from the remainder of the transactions of the Convention, and their consequent publication, is either improper or incompatible with the public interests.

There are a class of resolutions, the publication of which, it was objected in the Committee, might give rise to a misconception of the real views, and a misconstruction of the true action of this body. To these the attention of the Convention is invited.

On the 27th day of December of the last year, the morning after Major Anderson had, under cover of the night, dismantled and abandoned Fort Moultrie, and taken military and hostile occupation of Fort Sumter, a Delegate offered the following resolution :

" *Resolved*, That it is the sense of this Convention, that the occupation of Fort Sumter ought at once to be regarded as an authorized oc-

cupation, and vigorous military defences provided immediately;” which was ordered to lie on the table. Many other resolutions to the same effect were, from time to time, presented, and were also either ordered to lie on the table or rejected. To remove the injunction of secrecy, and publish to the world these and kindred resolutions, it was suggested might lead to the idea that the Convention had, by their action on them, declined to entertain, or assert, and perhaps had denied, the principles therein declared, and had thus placed themselves somewhat in opposition to the views expressed in their behalf by our Commissioners to the Government at Washington.

In this view your Committee do not concur. It is well known to the members of this body, that in truth and in fact, the Convention intended thereby to express no opinion as to the authority and character of Major Anderson's occupation, the same not having been then, as yet, affirmed, denied or adopted by the then Administration, and our Commissioners having, at that time, this, with other complicated and delicate questions, for explanation and, if possible, for adjustment. The reasons thus indicated, which induced the action of the Convention, do not, it is true, appear on the face of the journal or accompany the record; but this may be said of the proceedings in all legislative bodies, and which therefore, at last, must, in a great measure, depend upon contemporaneous history for their explanation and vindication.

In reference to the publication of the debates on the subject of the adoption of the Constitution of the Confederate States of America, your Committee do not perceive how the same could be done under the authority of this body, as no official record of them was kept under its directions. They would, therefore, recommend the adoption of the following resolutions:

1. *Resolved*, That the injunction of secrecy be removed from all the transactions of this Convention in secret session, except in relation to the debates on the Constitution of the Confederate States of America, and the matter this day directed by the Convention to be kept secret.\*

2. *Resolved*, That as soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of Delegates, lately assembled at Montgomery, the injunction of secrecy shall

\* Resolution providing for subscription to the Confederate Loan, from which the injunction of secrecy was removed, September 17, 1862.

likewise be removed from the debates of this Convention on the Constitution submitted for the Confederate States of America.

3. *Resolved*, That five hundred copies of the journal, public and secret, and of the reports, resolutions and transactions of this Convention be printed, and separately five hundred copies in the following order: of

1. All the Ordinances passed by the Convention, in the order of time (except the Ordinances of ratification); together with

2. The Bills to amend the Constitution of this State, ratified during the late session of the General Assembly.

3. The Resolution for engrossing the Constitution.

4. The Constitution of the State as engrossed.

5. The Constitution of the Provisional Government of the Confederate States of America.

6. The Constitution of the Confederate States of America.

7. The Ordinance of Ratification.

8. The Resolutions suggesting amendments.

And that the same be distributed as follows:

For the Executive, 10 copies; for the Legislative Library of the Congress at Montgomery, 5 copies; for the Legislative Library at Columbia, 5 copies; for the Libraries of the Court of Appeals at Columbia and Charleston, each 5 copies; for the Members of the Convention, and Members of the General Assembly of the State, each 1 copy; for the Governors of the several Confederate States, each 1 copy; for the Chief Justice and Associate Justices of the Court of Appeals, and for the Chancellors and Judges of the State, each 1 copy; for the College and various public Libraries in the State, each 1 copy; for the Attorney-General, Solicitors, Secretary of State, Surveyor-General and Treasurers of the Upper and Lower Divisions, each 1 copy for the use of their respective offices; and that the residue be distributed under the direction of the President of this Convention.

All of which is respectfully submitted,

THOMAS Y. SIMONS, *Chairman*.

REPORTS OF COMMITTEE AS TO DOCUMENTS DIRECTED  
TO BE ENGROSSED.

The Committee on Engrossed Ordinances beg leave to report :

That the Ordinance adopted by this body on the day of the adjournment of its first session, entitled, "An Ordinance to vest in the General Assembly the power to establish Postal Arrangements," has been duly engrossed under the supervision of the Committee, and deposited in the office of the Secretary of State for safe-keeping.

Respectfully submitted,

THOMAS Y. SIMONS,  
*Chairman.*

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The Committee on Engrossed Ordinances report :

That the Ordinances and Resolutions referred to them have been duly engrossed and ratified by the signature of the President and the attestation of the Clerk, to wit :

1. An Ordinance ratifying the Constitution of the Confederate States of America.

2. A Resolution suggesting amendments thereto.

3. An Ordinance to amend an Ordinance concerning citizenship.

4. An Ordinance to amend and to repeal sundry Ordinances, and to alter the fourth Article and sundry sections of the Constitution.

5. An Ordinance to alter the tenth section of the first Article of the Constitution of the State of South Carolina, and the amendment thereof, ratified the twenty-eighth day of January, A. D. 1861; also, to alter the tenth section of the amendment ratified on the seventeenth day of December, 1808, and likewise the second clause of the eleventh Article of the Constitution aforesaid.

6. An Ordinance to ratify the Provisional Constitution and Government of the Confederate States of America.

7. An Ordinance to repeal in part and to alter in part an Ordinance to amend the Constitution of the State in respect to the Executive Department,

8. An Ordinance to transfer to the Government of the Confederate

States of America the use and occupancy of the forts, arsenals, navy yards, custom houses and other public sites within the limits of this State.

9. A Resolution to provide for the transfer of arms, ordnance and munitions of war, by this State to the Government of the Confederate States of America.

10. A Resolution to transfer the regular enlisted troops of this State to the Government of the Confederate States.

11. A Resolution to provide for tendering volunteer forces to the Confederate States.

12. A Resolution authorizing the Governor to commission the officers of the volunteer companies in certain cases.

Respectfully submitted,

THOMAS Y. SIMONS,  
*Chairman.*



## REPORT OF THE COMMITTEE ON ACCOUNTS.

The Committee on Accounts, to whom were referred the accounts of P. Brady, F. L. Schouboe and J. L. Barnwell, for services rendered and articles furnished to the Convention, ask leave to report, that they have examined the said accounts, and recommend that the said sums be paid to the persons respectively, as below specified, to wit: To J. L. Barnwell, three dollars and sixty cents; to F. L. Schouboe, twenty-three dollars; to P. Brady, fifty-eight dollars.

Respectfully submitted,

THOMAS THOMSON, *Chairman.*

## RESOLUTION

For Engrossing the Constitution of the State.

*Resolved*, That the Constitution of the State shall be engrossed, omitting all temporary provisions, and incorporating all amendments, so as to present a symmetrical whole, and that after having been read and approved by the Convention, it shall be ratified.

# THIRD SESSION.



COMMUNICATION FROM HIS EXCELLENCY GOVERNOR  
PICKENS.

IN CONVENTION, DECEMBER 28TH, 1861,  
IN SECRET SESSION.

*Resolved*, That his Excellency the Governor be requested to inform this Convention what regiments, battalions, or companies of volunteers have been organized within this State, under any law of this State, or any call of his Excellency, and are now in existence, but have not yet been mustered into the service of the Confederate States, together with the strength of such organizations, and their present position and service.

*Resolved*, That his Excellency the Governor be requested to communicate to this Convention the number of regiments from this State which have volunteered into the service of the Confederate States for the war—of that number, how many are in service without the limits of the State; and how many are in service within the limits of the State; and also, the original and the present strength of such regiments.

*Resolved*, That his Excellency the Governor be further requested to communicate to this Convention the number of regiments from this State which have volunteered in the service of the Confederate States for twelve months—of that number, how many are in service without the limits of the State; and how many are in service within the limits of the State; and also, the original and present strength of such regiments. That the same information be given of any detached companies or battalions in service for the war or twelve months.

*Resolved*, That his Excellency the Governor be further requested to communicate to this Convention the number of arms belonging to this State, which have been given to regiments of this State, now in the service of the Confederate States, without the limits of this State; how many of such arms have become useless to such regiments by the various causes which have reduced the effective force of such regiments, and what measures, if any, have been taken to have such arms brought back to this State.



*Resolved*, That his Excellency the Governor be further requested to communicate to this Convention the number, grade and condition of arms belonging to this State, issued to any portion of the militia of the State, not in actual use by reason of exemptions or disabilities, held or claimed by any persons in part composing such militia, and also the number of public arms now in the State and prepared for immediate use.

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STATE OF SOUTH CAROLINA,  
EXECUTIVE OFFICE, December 30th, 1861.

TO THE HONORABLE THE PRESIDENT,  
AND MEMBERS OF THE CONVENTION:

I suppose that the object of the above resolutions was to obtain a full development of the military strength of the State now in service, and also to elicit full information as to the military relations our State and State forces bear towards the Confederate authorities, and more particularly towards the Confederate General Commanding. I trust, therefore, that the Convention will receive the correspondence I herewith transmit, which has taken place between myself and the Confederate authorities and Generals, at different periods, so as to illustrate our relations, and to enable the Convention more clearly to comprehend what has been done, as well as what has not been done.

On the first day of March last, I was notified that the Confederate Congress had passed an Act to raise provisional forces, and that the President of the Confederate States also formally assumed the command of all matters connected with our defences and the conduct of the war. A copy of this letter, from the Secretary of War, is herewith transmitted. Up to that time I had, necessarily, directed and controlled everything of the kind. But soon after this, the President sent on a Confederate General, with full power to take command of everything connected with the military. Whatever I have done since then has been more by respectfully suggesting than from any right or power to execute any military orders connected with the every-day actual conduct of the war. I have freely suggested, and have had the satisfaction to know that the Confederate Generals have, in most instances, treated such suggestions with all proper respect, and not un-

frequently acted in accordance with them. But it would be doing great wrong to me, and injustice to the State, to hold any of the State authorities strictly or entirely responsible for the conduct of the war. I freely and liberally, in the commencement, contributed all in my power to strengthen the Confederate Government in all its operations. Before the Confederate Government was efficiently organized, I sent cannon into North Carolina, and artillerymen, with thirty thousand pounds of powder, with shot and shell, to assist in occupying her forts. I sent in like manner, very much upon my own responsibility, two regiments of troops into Virginia, fully armed and equipped, which were the first that were sent from any State. I also sent one thousand stand of muskets, with one hundred thousand ball cartridges, to Lynchburg, Virginia, to arm the Western troops. I sent, with ammunition, cannon into Tennessee, which were planted above Memphis, on the Mississippi river, by an artillery officer and men sent on by me. I also sent one thousand muskets, and I think it was before the State had acted at all. I also sent six thousand stand of arms to Florida. I sent our first regiment to Virginia, fully armed and equipped, into Confederate service, without making any estimate of their arms and equipments, because I thought, and was induced so to believe by the Secretary of War, that by cold weather this fall, there would be plenty of arms brought in to supply what might be needed in the State. I have been grievously disappointed in this calculation; but I must candidly say, that it was, perhaps, because the Confederate authorities had made no calculation as to the present extent of the war, or the new and enlarged demand for arms. The enormous increase of our armies, and the vast extent of our lines to be defended, make it beyond the power of the Government to supply all required.

• But I will say to the Convention, in reply to the resolutions, that I had, from arms recently collected throughout the State, about one thousand at the Arsenal in Columbia, and near twelve hundred in Charleston which I have put in pretty good repair. The Governor of Virginia has, also, in the last few days, sent me one thousand excellent muskets, with bayonets.

I heard from General Bonham, that he had collected seven hundred excellent arms, belonging to the State, that are not now in use with our regiments in Virginia. I immediately sent on Mr. Mitchell, of Charleston, for them, and expect his arrival with them every day. I have likewise ordered in the arms that are in the hands of what is called the Reserves, in Charleston; and the Ordnance officer writes me

that he will receive about thirteen hundred in that way. I have also written the Mayor of Charleston to return back the arms in the hands of the Fire Companies of Charleston. These are about five hundred; and the Act constituting them a part of the military, expires on the eighteenth of January next. I recently purchased nine hundred and ten Enfield rifles, for the sum of forty-one thousand and two hundred dollars—formerly held by Colonel Cunningham. These I hold to give out to flanking companies of the regiments mustered in for twelve months. The Confederate Government have placed at the disposal of a Confederate officer, twenty-two hundred Enfield rifles, for our troops to be mustered in—a portion of which are given out. The sum total of all these would be about eight thousand stand of arms. Out of these Colonel Means' Regiment and Colonel Elford's have received orders for arms, and also Major James' Battalion, and four other separate companies, which would reduce the amount to near six thousand, that can still be used for troops mustering in.

I here take occasion most respectfully to urge every member of the Convention to exert all his public and private influence to get companies to come forward immediately and enroll themselves for the service of the country. There never was a time when we needed them more, and I most urgently suggest that every means shall be instantly put in requisition to bring forward men to serve in the defence of our beloved State. No time is to be lost, and delay may be our ruin. I herewith enclose a full statement of all the troops now under arms from Georgetown to Hardeeville, amounting to twenty thousand eight hundred and forty. The paper sent in will show the position at present occupied by each corps, and its strength.

I also send in a separate report from the Adjutant General's office, of all the troops actually mustered in belonging to this State alone. First, those in Virginia and elsewhere, and then those now in the State, and all the latter ordered to report directly to General Lee, as Confederate commanding officer. It will be seen that this State now has in service altogether thirty-one thousand three hundred and eighteen men, and in service in this State alone, twenty-one thousand four hundred and ninety-eight, if we include five thousand one hundred and twelve in companies reported and accepted. Of these, seventeen thousand five hundred and sixteen are now actually mustered and received into Confederate service. It will be seen that the letter of General Lee, dated the 27th instant, puts the number actually mustered into Confederate service, of which he has any account, at only

ten thousand and thirty-six; but in the same letter he says that he does not include Colonels Means' and Elford's Regiments, the Laurens Battalion, and other companies mentioned; and I infer from his remarks that he may not include the forces in garrison in Forts Sumter and Moultrie, or at Cole's Island, and perhaps he also does not include the forces at and near Georgetown. If all these were included, then the amount would be about the same as is herein transmitted, that is to say, about seventeen thousand. If this does not explain the difference, then there is no other way of accounting for it, except that the officers commanding Districts have not reported to him fully the troops that have been sent forward from the Adjutant and Inspector General's office, for the Adjutant General has sent in to me a correct list from the rolls filed in his office, of troops actually sent forward into service. This report is herewith transmitted. It is believed that the thirty-one thousand three hundred and eighteen now actually mustered in service from this State, is the largest, in proportion to our white population, of any other State in the Confederacy. It would thus appear that the forces from other States are three thousand six hundred and ninety, making in all twenty-one thousand two hundred and fifty-one, now under command of the Confederate Generals. I have, at the camp near this place, twelve hundred men, now mustering in; and from what is reported, I expect sixty more companies in a few days—making, for the present, seventy-five companies, in addition to the troops recently sent forward. Our difficulty is, that the line to be defended is so very long. The bays and inlets along our extensive seacoast are so numerous, that it is difficult to know exactly where the enemy may strike; and we consequently have to guard too many dangerous points at the same time. If an attack is intended to be made on Charleston, their first movement will probably be through Stono or North Edisto, and at the same time a demonstration will be made at Bull's Bay, so as to divert and divide our forces. The resources of the enemy on sea are almost boundless, and a foray upon our exposed coast furnishes employment for their idle marine and the vagrant population of their large cities. If they enter through North Edisto, they will approach Charleston through John's Island; and if through Stono, then they will endeavor to silence our batteries there, and approach over James' Island, to occupy the Ashley above Fort Johnson, so as to shell the city. This was the approach adopted by the British in the Revolution, and again attempted in 1813. They cannot separate from their vessels without reserving a large force



to keep open their communications in the rear with their fleet. They cannot, in fact, risk the attempt of an attack on Charleston with much less than fifty thousand men, supported by cavalry and artillery. If we can throw on James' and John's Islands fifteen thousand men, and they are well managed, it will be very difficult to make a successful attack. General Lee thinks they cannot bring fifty thousand men; and after examining our position at the mouth of the Stono and Battery Island, he thought they could not, in any event, succeed in marching upon the city. He has authority to order troops from Georgia, if we are urgently threatened, and thinks several thousand could be thus thrown in.

The Secretary of War has telegraphed me that one Virginia and two Tennessee regiments have been sent on to us, and other regiments are to follow.

I think we have sufficient ammunition. In Forts Sumter and Moultrie there are near eighty-six thousand pounds of cannon powder. Battery Island, as the distributing artillery officer recently told me, has near one hundred rounds for each gun. We have, of rifle powder, forty-one thousand pounds, and seventeen thousand pounds of musket powder. If the enemy approach the entrance of Charleston harbor, I trust our forts are in order to receive them. Heavy vessels of war cannot enter over our Bar, and any of them must be brought under the full range of our guns. There are eighty-seven guns, well mounted, at Fort Sumter, and some thirty-seven at Fort Moultrie.

If our malignant enemies come in numbers like the Goths and Vandals, with their invading hordes, we may be overrun; but we can find consolation and satisfaction only in doing our duty bravely and faithfully. I feel the embarrassments of my own position, as being held responsible for military movements and defence before the public, when, in fact, I have no real power, and can only effect any general purpose by requests and suggestions, which place me in an unpleasant position if unheeded, and if executed badly, make me liable to all the censure incident to a failure. Many things might be complained of on my part, but in this great emergency I prefer to make no public complaint, and to aid the Confederate authorities with all the power that I can legitimately bring forward to their assistance.

You will perceive from a letter, a copy of which is herewith enclosed, that I desired, last summer, to call the attention of the Cabinet at Richmond to the fact that, if a defensive policy on the Potomac was to be inaugurated as the settled policy of the Government, we would, un-



doubtedly, be visited this fall with all the dangers of a powerful fleet on the element where they are strong and we are weak, and that I desired to know, so as to prepare in time to try and meet this state of things. The four regiments I raised for Confederate service, unconditionally for the war, last August and September, I obtained permission from the War Department to retain in this State to meet this very emergency. I also wrote the Department that one of the great difficulties would be the scarcity of arms, as I could not positively promise any more. I also telegraphed the War Department the very first moment I was informed that the fleet of war vessels which sailed from Hampton Roads were destined for Port Royal, that if they were as strong as stated, the danger was, that they would pass the forts and enfilade the batteries.

It is useless to disguise the fact that the country is under absolute military control. We must submit to it for the present, as we have no power to change it, even if we wished. Any public complaint or division, under existing circumstances, would only distract and divide us, without the possibility of advancing the public service or the public interest at all. I enclose with this the letter directed to a member of the Cabinet, in Richmond, dated last September, and which was read to the President, but no reply has ever been made, except an informal one by the gentleman to whom it was addressed, in which it was stated that the war had grown beyond all the calculations of the Cabinet, and that they were endeavoring to meet, as far as they could, all the pressing emergencies of the country. I also transmit with this, copies of letters written to Generals Lee and Ripley, and their answers to the same. The one in reference to General DeSaussure's brigade, I wrote after consultation with him. The force in the fourth brigade, in Charleston, was returned last summer at three thousand four hundred men, but I knew only sixteen hundred were actually out, and this is what I intended in writing to General Lee as to their number. I have thus communicated freely with your honorable body, but of course there are many things I have mentioned that are not intended for the public in any way. I make this free communication, because I feel that we are in the midst of great events. If we are surrounded with difficulties, so are our enemies. Any invasion, with large forces, by water, is accompanied by great expense, and subject to many disasters. They may have consummate skill in managing a navy, but may be without the training necessary for success on land. If we act with unanimity and patriotic zeal, my deliberate conviction is, that Charleston cannot be

taken. If the Confederate commanding officers act with energy and ability, I believe a sufficient force can be assembled to meet and drive back the invader.

But the State requires that every man shall do his duty. If there are any timid or unable to fight, they had better withdraw from Charleston for the present, and so, also, the women and children that can be cared for elsewhere, had better, perhaps, be removed, because, in threatening dangers, they only add to panic, and are consumers. But let all others go to the field, and go cheerfully. Let them man the guns and stand by their bayonets, and, under the blessings of Providence, the country can be defended and the city saved.

F. W. PICKENS.

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## REPORT OF ADJUTANT AND INSPECTOR GENERAL.

STATE OF SOUTH CAROLINA,  
HEAD QUARTERS ADJT. AND INSP. GEN'L'S OFFICE,  
COLUMBIA, Dec. 29th, 1861.

HIS EXCELLENCY GOV. F. W. PICKENS :

SIR : I have the honor herewith to acknowledge the receipt of copies of certain Resolutions of the Convention of South Carolina, and in accordance with your instructions, to submit a Report in response to such matters therein contained as may be referable to this office.

*First.*—As to “the number of regiments from this State which have volunteered in the service of the Confederate States for the war, of that number how many are in service without the limits of the State, and also the original and present strength of such regiments,” I have to report the following regiments organized for and during the present war: 1st, “Orr’s Regiment of Rifles,” Col. James L. Orr commanding; 2d, “1st Regiment S. C. Volunteers for the War,” Col. D. H. Hamilton commanding; 3d, “12th Regiment of S. C. Volunteers,” Col. R. G. M. Dunovant commanding; 4th, “13th Regiment of S. C. Volunteers,” Col. O. E. Edwards commanding; 5th, “14th Regiment S. C. Volunteers,” Col. James Jones commanding; 6th, “15th Regiment S. C. Volunteers,” Col. W. D. DeSaussure commanding. In process of organization : A regiment now consisting of six companies, under command of Lieut. Col. J. V. Moore, and a regiment now con-

sisting of five companies, to be commanded by Col. P. H. Nelson, making six organized regiments, and two in progress of organization.

Of these regiments, only one is without the limits of the State, stationed at or near Suffolk, Virginia.

The original strength of each regiment is as follows: Orr's Regiment, 1,080, aggregate; 1st Regiment, 860, aggregate; 12th Regiment, 789, aggregate; 13th Regiment, 764, aggregate; 14th Regiment, 902, aggregate; 15th Regiment, 813, aggregate; Moore's Battalion, 430; Nelson's Battalion, 352, aggregate.

The present strength of the regiments can only be ascertained from the headquarters of the Confederate Commanding General, as my connection with them ceases after the muster into Confederate service, except as to simple matters of organization. If it is your Excellency's desire, I will request the information from the Confederate Commanding Officers of the different Departments in which the regiments are stationed.

*Second.*—As to "the number of regiments from this State, which have volunteered in the service of the Confederate States for twelve months, of that number how many are in service without the limits of the State, and how many are in service within the limits of the State, and also the original and present strength of such regiments—that the same information be given of any detached companies or battalions for the war or twelve months," I have to report that under Act of General Assembly of December 17, 1860, the following regiments were organized, and have been since mustered into Confederate service: 1st Regiment S. C. Volunteers, for 12 months, Col. Hagood commanding; 2d Regiment S. C. Volunteers, Col. Kershaw commanding; 3d Regiment S. C. Volunteers, Col. Williams commanding; 4th Regiment S. C. Volunteers, Col. Sloan commanding; 5th Regiment S. C. Volunteers, Col. Jenkins commanding; 6th Regiment S. C. Volunteers, Col. Winder commanding; 7th Regiment S. C. Volunteers, Col. Bacon commanding; 8th Regiment S. C. Volunteers, Col. Cash commanding; 9th Regiment S. C. Volunteers, Col. Heyward commanding; 10th Regiment S. C. Volunteers, Col. Manigault commanding; 11th Regiment S. C. Volunteers, Col. Blanding commanding: under special authority of Confederate Government, Hampton's Legion, Col. Hampton commanding; Regiment of Coast Rangers, Col. Hatch commanding; and the regular enlisted force of South Carolina, consisting of eight companies of infantry, Col. John Dunovant commanding; seven companies of artillery, Lieut. Col. Calhoun commanding; and two compa-

nies of Dismounted Dragoons, Maj. Lucas commanding; also, under authority of General Assembly of this State, 16th Regiment of S. C. Volunteers, Col. Elford commanding; 17th Regiment S. C. Volunteers, Col. Means commanding; and the Holcombe Legion, Col. Stevens commanding; making in all fourteen regiments, two legions, and the regular enlisted force of South Carolina.

Of this number eight regiments, one legion, and one company, are in service without the limits of the State.

The original strength of each regiment is as follows: 1st Regiment of S. C. Volunteers, for twelve months, 850, aggregate; 2d Regiment, 841; 3d Regiment, 1,066; 4th Regiment, 973; 5th Regiment, 1,124; 6th Regiment, 813; 7th Regiment, 803; 8th Regiment 819; 9th Regiment, 761; 10th Regiment, 1,146; 11th Regiment, 896; Regiment of Coast Rangers, 750; 16th Regiment, 718; 17th Regiment, 552; Stevens' Legion, 1,120; Regular Force, 1,136.

I am unable to state the original strength of Hampton's Legion, it having been organized by Confederate authority, and the muster rolls not being returned to this office. I suppose the number to have been about 1,100.

I also report the following detached companies or battalions for the war or twelve months: *For the war*.—Black's Squadron of Cavalry, Lieut. Col. Black commanding; Palmetto Battalion, Maj. White commanding; Lamar's Battalion of Artillery, Capt. Lamar commanding; Manigault's Battalion, Maj. Manigault commanding; Capt. Mangum's Company, Capt. Boykin's Company, Capt. Shannon's Company, Capt. Boyce's Company, and Capt. Coit's Company. *For twelve months*.—Laurens Battalion, Maj. James commanding. The original strength of these Battalions and Companies are included in the statement appended to this report.

For the present strength I must again refer your Excellency to the proper Departments.

Of this number the following corps are in service without the limits of the State: Captains Mangum's, Boykin's, Shannon's, and Coit's Companies.

*Third*.—As to the "number of arms belonging to the State which have been given to Regiments, &c.," I would refer your Excellency to report of the Colonel of Ordnance; and as to "what measures have been taken to bring back those arms which have become useless," &c., I will state, that by direction of your Excellency, I despatched some ten days since, a reliable agent to the camps of our regiments in Virginia, to



gather up and bring back the arms of the class referred to, and will, in a few days, have his report. From information received I expect to recover some six to eight hundred stand of arms. I will also state that the Commanding Officers of the Brigades and Regiments have been again and again most urgently and strictly enjoined, to take care of and return the arms, &c., in the hands of their respective commands, belonging to the State. All troops sent beyond the limits of the State, with the exception of a few companies, have been armed and equipped from the Arsenals and stores of the State.

*Fourth.*—As to “what regiments, battalions, or companies of volunteers have been organized within this State, under any laws of this State, or any call of his Excellency, and are now in existence, but have not yet been mustered into the service of the Confederate States—together with the strength of such organizations, and their present positions and service,” I have to report the 4th Brigade of S. C. M., Brig. Gen. DeSaussure commanding, consisting of 1st Regiment of Rifles, Col. Branch, 1st Regiment of Artillery, Col. Wagener, and 17th Regiment, Col. DeTreville, commanding, organized under Acts of General Assembly of 1841, and subsequent amendatory Acts. This Brigade was required for by Brig. Gen. Ripley, then commanding this Department, and is now under the orders of the Confederate Commanding General. Col. Martin’s Mounted Regiment, composed of companies organized under a resolution of the Convention of the State. This Regiment was also required for by Gen. Ripley, and is on duty, subject to the orders of the Confederate Commanding General. Also the Pee Dee Legion, Brig. Gen. Harlee commanding, raised by authority of the Governor for a limited period; also required for by Gen. Ripley, and is now under orders of Confederate Commanding General. The strength of this Legion on duty is 800, aggregate. There are also six companies of State cavalry, numbering about 275 in the aggregate, also under Confederate orders. The original strength of the regiments of the 4th Brigade is as follows: Rifle Regiment, 879; 17th Regiment, 874; Artillery Regiment, 650. The Mounted Regiment is about 600 strong.

I have also to report that under Act of December 7, 1861, I have some 14 companies in camp, and have accepted and placed under marching orders for the camps about 60 additional companies. These companies have all volunteered for Confederate service for twelve months, and are being organized under Act of December 7, 1861, and when organized are sent forward in accordance with instructions of



Confederate Commanding General, by Lieut. Col. John S. Preston, Assistant Adjutant and Inspector General of Confederate States Army.

Before closing this Report, I will state that I have issued orders again and again, and appointed special agents in each District, to gather up the scattered arms belonging to the State, with but indifferent success. These agents are still at work, and being highly intelligent and patriotic gentlemen, are not receiving any pay for their services.

I append to this Report a statement of the troops embraced in the foregoing, classified as follows: First, those in service beyond the State; second, those in service within the State; third, those for and during the present war; and fourth, those for shorter terms.

Respectfully submitted,

S. R. GIST,

*Adjutant and Inspector General of S. C.*

## LIST OF TROOPS IN THE FIELD FROM GEORGETOWN TO HARDEEVILLE.

### HARDEEVILLE—General Drayton.

15th Regiment of S. C. Volunteers, Col. DeSaussure.....	800
9th     "     "     "     "     "     Heyward.....	800

### COOSAWHATCHIE—General Pemberton.

12th Regiment of S. C. Volunteers, Col. Dunovant.....	800
13th     "     "     "     "     "     Edwards.....	800
14th     "     "     "     "     "     Jones.....	800
"     "     N. C.     "     "     Clingman.....	1,100
"     "     "     "     "     Radeliffe.....	900
"     "     Mounted Men,     "     Martin.....	600

Four Light Batteries from Va. and N. C.....	400
Gonzales' Siege Train.....	125
Regiment of Virginians, Col. Stark.....	800
Two Tennessee Regiments, General Donelson.....	1,600

### ADAMS' RUN—General Evans.

17th Regiment of S. C. Militia, Col. DeTreville.....	450
1st     "     "     "     Rifles,     "     Branch.....	400
Black's Squadron of Cavalry.....	350

### CHARLESTON—General Ripley.

16th Regiment of S. C. Volunteers, Col. Elford.....	800
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17th Regiment of S. C. Volunteers, Col. Means.....	650
Holcombe Legion, " Stevens.....	1,120
Laurens' Battalion, Maj. James.....	325
Cole's Island, Col. Hagood .....	1,050
Lucas' Battalion .....	96
James' Island, two Companies, Capt. Lamar .....	190
Fort Sumter, Maj. Wagner.....	561
Fort Moultrie, Infantry Regulars, Col. Dunovant.....	583
Sullivan's Island, " Orr .....	1,100
" " Lieut. " Moore .....	300
Coast Rangers, " Hatch.....	750
White's Battalion of Artillery, Maj. White .....	240
Christ Church, " E. Manigault... ..	260

## GEORGETOWN—Colonel Manigault.

10th Regiment S. C. Volunteers, Col. A. M. Manigault.....	1,140
Harlee's Legion.....	800
Cavalry.....	200

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 20,890

## LIST OF TROOPS IN SERVICE, DECEMBER 30, 1861.

## FIRST.—Those in service beyond the State :

1st Regiment S. C. Vols.....	Col. Hamilton.....	860
2d " " .....	Col. Kershaw.....	841
3d " " .....	Col. Williams .....	1,066
4th " " .....	Col. Sloan.....	973
5th " " .....	Col. Jenkins.....	1,124
6th " " .....	Col. Winder.....	813
7th " " .....	Col. Bacon.....	803
8th " " .....	Col. Cash .....	819
11th " " .....	Col. Blanding.....	896
Hampton Legion, " .....	Col. Hampton.....	1,100
Calhoun's Light Battery .....	Capt. Calhoun.....	84
Captain Mangum's Company.....		84
Captain Boykin's " .....		78
Captain Shannon's " .....		63
Captain Coit's " .....		116

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 9,720

## SECOND—Those in service within the State :

1st Regiment S. C. Vols.....	Col. Hagood.....	850
9th       “               “ .....	Col. Heyward.....	761
10th       “               “ .....	Col. Manigault.....	1,120
12th       “               “ .....	Col. R. G. M. Dunovant..	789
13th       “               “ .....	Col. O. E. Edwards.....	764
14th       “               “ .....	Col. Jas. Jones.....	902
15th       “               “ .....	Col. DeSaussure.....	813
16th       “               “ .....	Col. Elford.....	713
17th       “               “ .....	Col. Means.....	783
Holcombe Legion.....	Col. Stevens.....	1,120
Regular Enlisted Force.....		1,136
Regiment of Coast Rangers.....		750
Battalion of Rifles .....	Lieut. Col. Moore.....	430
Squadron of Cavalry.....	Lieut. Col. Black.....	362
Palmetto Battalion.....	Major White.....	240
Manigault's Battalion.....	Major Manigault.....	260
Lamar's Battalion of Artillery.....	Capt. Lamar.....	196
Laurens Battalion.....	Major James.....	391
4th Brigade.....	Gen. DeSaussure.....	2,407
Pee Dee Legion.. .....	Gen. Harllee.....	800
Mounted Regiment.....	Col. Martin.....	600
Cavalry Companies.....		275
Orr's Regiment of Rifles.....	Col. J. L. Orr.....	1,030
Captain Boyce's Company.....		124
		<hr/>
		16,616

## THIRD.—Those for and during the present war :

1st Regiment S. C. Vols.....	Col. D. H. Hamilton.....	860
12th       “               “ .....	Col. Dunovant.....	789
13th       “               “ .....	Col. Edwards.....	764
14th       “               “ .....	Col. Jones.....	902
15th       “               “ .....	Col. W. D. DeSaussure...	813
Orr's Regiment of Rifles .....	Col. Orr.....	1,030
Battalion of Rifles.....	Lieut. Col. Moore....	430
Squadron of Cavalry.....	Lieut. Col. Black.....	362
Palmetto Battalion.....	Major White .....	240
Manigault's Battalion.....	Major Manigault.....	260
Lamar's Battalion of Artillery.....	Captain Lamar.....	196
Captain Boyce's Company.....		124

# THIRD SESSION.

567

Captain Mangum's Company.....	84
Captain Boykin's " .....	78
Captain Shannon's " .....	63
Captain Coit's " .....	116

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7,111

## FOURTH.—Those for shorter terms of service :

1st Regiment S. C. Vols.....	Col. Hagood.....	850
2d " " .....	Col. Kershaw.....	841
3d " " .....	Col. Williams.....	1,066
4th " " .....	Col. Sloan.....	973
5th " " .....	Col. Jenkins.....	1,124
6th " " .....	Col. Winder.....	813
7th " " .....	Col. Bacon.....	803
8th " " .....	Col. Cash.....	819
9th " " .....	Col. Heyward.....	761
10th " " .....	Col. Manigault.....	1,146
11th " " .....	Col. Blanding.....	896
16th " " .....	Col. Elford.....	713
17th " " .....	Col. Means.....	783
Hampton Legion, .....	Col. Hampton.....	1,100
Holcombe Legion, .....	Col. Stevens.....	1,120
Calhoun's Light Battery, .....	Captain Calhoun.....	84
Regular Enlisted Force of S. C.....		1,136
Regiment of Coast Rangers .....	Col. Hatch.....	750
Laurens Battalion.....	Major James.....	391
Pee Dee Legion.....	Gen. Harlee.....	800
Mounted Regiment.....	Col. Martin.....	600
Independent Cavalry Companies.....		275
4th Brigade, S. C. M.....	Gen. DeSaussure.....	2,407

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20,251

## REPORTS OF THE MILITARY COMMITTEE.

The Committee on the Military, to which was referred a resolution to inquire into the expediency of increasing the powers of the Adjutant General, &c., beg leave to report :

That they have duly considered the subject, and are of opinion that the Executive of this State now has, by law, all the authority that seems to be contemplated by the resolution.

The fourth section of the Act of Assembly, ratified 7th December, 1861, expressly directs and empowers the Governor to organize companies into battalions and regiments, as are raised under its provisions, and order elections forthwith for field officers, &c. But as some doubts are entertained, as your Committee are advised, as to the time when such elections should be held, and the organization of companies into regiments delayed in order to allow those desiring particular field officers to arrive and hold an election, by which some 25 companies now in camp are not yet so organized; your Committee are of opinion that the subjoined resolution should be adopted forthwith, in order to put the troops now in Camp Hampton on active service. They therefore recommend the adoption of the accompanying resolution.

Respectfully submitted,

W. W. HARRLEE, *Chairman.*

*Resolved*, That it is the sense of this Convention that the Governor is authorized to organize such companies as report and are at their rendezvous, under the Act of 7th December, 1861, into battalions and regiments as soon as sufficient numbers of them arrive to form the same, and that at this time the organization into regiments should be effected without delay, and the troops sent forward with the utmost promptness.

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The Committee on the Military, to which was referred a resolution to authorize military officers "to use promptly such force as may in their judgment be necessary to compel any person or persons to take



arms for the defence of the State without being obliged to seek the aid of courts martial," beg leave to report that they have had the matter referred under consideration, and concur in the object of the resolution, inasmuch as in an emergency those belonging to organizations of State troops, by refusing to go with their commands, or leaving them and not returning, would, to a great extent, defeat the objects of any expedition or movement, if all the remedy were a court martial, which would only be fine or imprisonment.

The officers in the Confederate service have the authority now, and constantly exercise it, to use force to compel the attendance of troops mustered into Confederate service, and it is but proper that officers in State service should in this emergency possess such power, with respect to those who are enrolled in their commands and bound to perform duty therein, by the laws of the State. The resolution as referred to the Committee, however, they regard too general, and hence they recommend an amendment to the same in the following particulars: strike out "military" before officers, and insert after "officers" the words "commanding regiments, companies or detachments;" after the word persons insert the words "who may be;" after the words liable to, strike out "militia duty" and insert "liable to service in their commands;" after the words defence of the State, strike out the words "and perform militia duty in some of the organizations of the State."

The Committee beg leave to report the resolution so amended, and recommend its adoption, and when passed that the injunction of secrecy be removed.

Respectfully submitted,

W. W. HARLLEE, *Chairman.*

*Resolved*, That all officers commanding regiments, companies or detachments, while in actual service, are authorized, and so shall be authorized, during the continuance of the present war, to use promptly such force as may be, in their judgment, necessary to compel any person or persons who may be liable to service in their commands to take arms for the defence of the State without being obliged to seek the aid of courts martial.

## RESOLUTION

To provide for the voluntary removal of negroes, &c.

*Resolved*, That any person or persons willing immediately, or in anticipation of the order of the commission, to remove their negroes and necessary provisions for their support under the terms of an Ordinance entitled "An Ordinance to provide for the removal of negroes and other property from portions of the State that may be invaded by the enemy," be and the same are hereby entitled to receive all such aid, on application to the commission, as is prescribed by said Ordinance to be afforded to those who remove on notice; and the commission is hereby directed to afford the said aid, so far as the same may be expedient or practicable; and further, that all means of transportation shall be afforded by corporations and private ferries under the terms of said Ordinance.

## REPORTS OF THE COMMITTEE ON THE CONSTITUTION.

The Committee on the Constitution, to whom was referred a resolution of inquiry concerning the offices of Comptroller General and Treasurers, beg leave to report :

That they have considered the matter thus referred to them, and have concluded that it is inexpedient for this Convention now to interfere with it. They would not, if they were originating a government, entertain for a moment the scheme in a State so small as this, of having a double set of State officers—especially not two officers of the Treasury—so likely to lead to complication of accounts, confusion and loss. They acknowledge the seeming unfitness of an officer, created by the Legislature, being placed to control those to whom the Constitution of the State has committed the administration of the Treasury. They believe that the strongest support of the present system is given by those who have interest in the multiplication of offices ; and they recommend a careful examination of our whole Treasury system, both its organization and its actual administration, to the Legislature, to whom the law-making power belongs, and who can cautiously and deliberately effect necessary changes of our Constitution.

But your Committee remember that this Convention has studiously abstained from making any, the least change in our Constitution, not demanded by that peculiar and perilous condition of our affairs, which has given origin and continuance to the Convention. They perceive that when the new State House shall have been finished, the blending of offices might be effected with more convenience and with greater safety to the public records. They hope that the public authorities will be careful, by removal or otherwise, to save the books and papers in all of the public offices from any imminent danger ; and they are not so impressed with the sense of any evil now existing as to fear fatal consequences from delay in remedying it.

They therefore beg leave to be discharged from further consideration of the subject.

D. L. WARDLAW, *Chairman.*

The Committee on the Constitution, to which was referred a resolution to enquire and report on the propriety and expediency of suspending, during the present war, the twenty-ninth section of Article first of the Constitution of this State, respectfully report :

That they have had the matter under their consideration, and after mature reflection have come to the conclusion, that it would be unwise and inexpedient to suspend the said section for any period of time.

Respectfully submitted,

RICHARD DETREVILLE,

*Chairman pro tem.*

## REPORTS OF THE MILITARY COMMITTEE.

The Committee on the Military, to which was referred a resolution to inquire if any and what legislation is required in the Surgeon General's Department, beg leave to report that they have considered the subject, and that inasmuch as the Confederate Government has charge of most, if not all, of the forces of the State in active service, and has hospitals established under Confederate Surgeons where troops are posted, the Committee are of opinion that at this time no legislation is called for by this Convention on the subject referred, and they ask to be discharged from the further consideration of the resolution referred to them.

Respectfully submitted,

W. W. HARLLEE, *Chairman.*

January 2, 1862.

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The Committee on the Military, to which was referred a resolution to inquire as to the measures necessary to be adopted for the proper arming and equipping of the organization of Light Artillery raised in this State, &c., beg leave to report, that they have considered the resolution, and beg leave to report the accompanying resolutions, the adoption of which is recommended.

Respectfully submitted,

W. W. HARLLEE, *Chairman.*

January 3, 1862.

*Resolved*, That his Excellency the Governor be requested to collect, as early as practicable, all the valuable old pieces of Field Artillery belonging to the State, and have new modern carriages made for them, with caissons, and the requisite number of traveling forges and battery wagons, and also, when practicable, to purchase as many new field pieces as, in his opinion, the State may require, and to hasten as



rapidly as possible all the preparations necessary for the complete equipment of the Artillery corps raised in this State.

*Resolved*, That his Excellency the Governor be requested to furnish forthwith Col. White's Battalion of Light Artillery, at Wappoo Creek, with small arms for their use until equipped as Light Artillery.

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The Committee on the Military, to which was referred a resolution upon the expediency of providing a prompt method of collecting the public arms not in service of the State, of procuring arms from private parties, of repairing arms, and of ensuring the manufacture of arms, beg leave to report :

That they have had the matters referred under consideration, and are of opinion, that in regard to so much of the resolution as refers to the collection of public arms in the State not in use, that the most effectual method they could recommend has been adopted by the Adjutant General, as appears by his report accompanying the communication of the Governor to this Convention, which was that special agents had been appointed, and are still at work to collect the scattered public arms.

That with respect to procuring arms from individuals willing to part with the same, your Committee are of opinion that the general power granted to and exercised by the Governor, to purchase arms, embraces that of procuring private arms. That your Committee are informed by the Adjutant General that all arms collected, and those needing repairs, are put in the hands of gunsmiths at once for repairs.

To secure the manufacture of arms in the State, is in the opinion of your Committee, a subject of great importance. They have made inquiries on this subject, and have ascertained that such could be done, provided the State would make some advance to procure machinery, &c., for which security could be had, either to refund the advance or pay for it by the guns manufactured, and with the view of aiding in so advantageous an enterprise, they beg leave to report the subjoined resolution, and recommend its adoption.

Respectfully submitted,

W. W. HARLLEE, *Chairman*.

*Resolved*, That the Governor be authorized and directed to make a

contract with some suitable party or parties for the manufacture of arms in this State, and that he be authorized to advance such sum of money as may be required (not to exceed twenty-five thousand dollars), upon getting proper security therefor to be refunded or paid for in arms so manufactured: *Provided*, that all arms so contracted for shall be subjected to a rigid inspection by an instructed ordnance officer.

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The Committee on the Military, to which were referred the communication of his Excellency the Governor, with the Report of the Adjutant and Inspector General and accompanying documents, as to the forces of this State in Confederate service, and the public arms in use by those forces, and those ready for use, &c., beg leave to report, that they have had the same under consideration, and as the information afforded in the communication and accompanying documents is valuable, they recommend that the same be placed on the records of the Convention, as they add in an important degree to the history of the action of this State in an extraordinary period of her existence.

Respectfully submitted,

W. W. HARLLEE, *Chairman.*

January 4, 1862.

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The Committee on the Military, to which was referred a resolution to consider and report as to the expediency of organizing, in some efficient form, that portion of the Militia of this State between the ages of sixteen and eighteen years in the City of Charleston, so as not to interfere with their educational pursuits, beg leave to report, that they have considered the same, and though they regard it lamentable that the prospects of education of the youth of the State is so seriously imperiled by the facility with which they get into the military service, and are to a great extent diverted from all thoughts of study and sometimes demoralized by promiscuous association in camp, yet they regard it inexpedient for this Convention to interfere to apply a corrective.

The only remedy that could be applied, would be a prohibition on this class from going into service at all, which might, in many

instances, prove detrimental. Your Committee, therefore, are of opinion that it should be left to the discretion of parents and teachers to check the growing tendency of boys to enter military service at the expense of their education and future usefulness, and they regard legislation by this body on the subject inexpedient.

Respectfully submitted,

W. W. HARLLEE, *Chairman.*

January 4, 1862.

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The Committee to which was referred an "Ordinance to provide an armed force for the defence of the State, and to establish the mode in which forces for the existing war shall be raised in this State, beg leave to report, that though they regard many of the provisions of the Ordinance of great importance, yet that the organization of troops is now progressing under the Act of the Legislature recently passed, which provides for a levy of two thirds of the arms-bearing population of the State. The Committee do not deem it expedient at this time for this body to make any radical changes by legislation, as it may create confusion and delay, and produce new constructions on a system of militia laws now so numerous and complicated as that it is even difficult for the most experienced to master their details and properly reconcile them.

Your Committee, therefore, recommend that the Ordinance do not pass.

W. W. HARLLEE, *Chairman*

January 4, 1862.

## REPORT OF SPECIAL COMMITTEE NO. 1.

The Special Committee No. 1, to which was referred the Act of the Legislature, entitled "An Act to provide more efficient Police regulation for the Districts on the seaboard," with instructions to inquire whether certain alterations should not be made in that Act, beg leave to report, that they have examined the subject and think it inexpedient to make any alterations at this time in the Act, and ask to be discharged from the further consideration of the subject.

Respectfully submitted,

R. W. BARNWELL, *Chairman.*

## REPORTS OF COMMITTEE ON ACCOUNTS.

The Committee on Accounts, to whom was referred the account of Lewis Jones, Sheriff of Edgefield District, for serving the warrants of election to fill the vacaney occasioned by the death of the Hon. F. H. Wardlaw, respectfully beg leave to report: That they have examined the said account, and recommend the same be paid.

All of which is respectfully submitted,

R. T. ALLISON, *Chairman.*

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The Committee on Accounts, to whom was referred the account of the Editor of the Marion Star, for advertising an Act to provide for calling a Convention, and also for advertising the Proclamation of the President for convening the Convention, beg leave to report: That they have considered the same, and recommend that the same be paid.

ROBERT T. ALLISON, *Chairman.*

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The Committee on Accounts, to whom was referred the account of Theodore Stark, State House Keeper, for firewood furnished and servants' hire for the present Convention, ask leave to report: That they have considered the same, and recommend the said account be paid.

All of which is respectfully submitted,

R. T. ALLISON, *Chairman.*



## REPORT OF THE COMMITTEE ON COMMERCIAL RELATIONS AND POSTAL ARRANGEMENTS.

The Committee on Commercial Relations and Postal Arrangements, to whom was referred the resolution of inquiry, as to the expediency of memorializing the Congress of the Confederate States to pass an Act to repeal or suspend, for at least five years, the Act imposing duties on imports from neutral nations, beg leave respectfully to report:

That they have considered the same, and are of opinion that it would be inexpedient, at this time, for the Convention to take any action on the subject, and they therefore ask leave to be discharged from further consideration of the subject.

BENJAMIN F. DUNKIN, *Chairman.*

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## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued, by divers adjournments, to the eighth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

REPORT AND RESOLUTIONS OF SPECIAL COMMITTEE  
NO. 2.

The Special Committee No. 2, "charged with considering and reporting upon the proper action of the State, in case, at any time, further valuable portions of our territory should be pronounced untenable by the military authorities," respectfully report:

That they immediately, on their appointment, proceeded to consider the grave matter committed to their charge, and, after several consultations, concluded to withhold their report until the Convention should act on the reports of Special Committees Nos. 1 and 5. This Committee unanimously concur in the general line of policy indicated in the Ordinance, reported by Special Committee No. 1, and adopted by the Convention, and ask leave to report resolutions to extend the provisions of the original Ordinance to white inhabitants of Charleston, incapable of conducting their own removal, and to modify its provisions in reference to the removal of negroes from that city.

In regard to the City of Charleston, your Committee cannot believe that it will ever be pronounced untenable by the military authorities until the trial of strength and endurance has been tested to the uttermost. They recommend that it should be expressed, as the sense of the People of South Carolina assembled in Convention, that Charleston should be defended at any cost of life or property; and that, in their deliberate judgment, they would prefer a repulse of the enemy, with the entire city in ruins, to an evacuation or surrender, on any terms whatever. The Committee oppose altogether the idea of abandonment until both the defending army and the city are so far destroyed that no provision need be made for further action. If, however, the city

should be abandoned to the enemy, contrary to the expressed wish of the people of the State, your Committee cannot bring themselves to recommend, as has been suggested by some, that the city should be destroyed by the hands of her own citizens, irrespective of the command of the military authorities. The Committee have deliberated with painful anxiety upon this matter, but while they highly approve a defence like that of Zaragossa, they cannot perceive, in the circumstances of Charleston, enough to commend to her citizens the example of Moscow. The Committee think the injury which might be inflicted in this way on the enemy, quite too inconsiderable to warrant a proceeding so very much more disastrous to ourselves. Indeed, the Committee are inclined to believe that the destruction of the city is precisely that which the enemy desire and design. The Committee believe that an indiscriminate burning of the city could not be effected without destroying the lives of a very large portion of the non-combatant inhabitants, whose removal could not be accomplished. Let the responsibility of so terrible a calamity rest upon the enemy. The Committee accordingly recommend that the Convention should express its disapproval of the suggestion of a voluntary burning of the city by the citizens. To the military authorities they have nothing to suggest on this point.

The Committee recommend the adoption of the following resolutions :

*Resolved*, That the provisions of the Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy, be extended to the removal of those persons in the City of Charleston who by reason of age, sex or infirmity are incapable of taking part in its defence, if such removal becomes necessary in the judgment of the commission herein provided for.

*Resolved*, That a commission of five citizens of Charleston be chosen by this Convention, whose duty it shall be to execute within the City of Charleston the provisions of the Ordinance aforesaid, and of this resolution.

*Resolved*, That in case any expense is incurred by the Commissioners in the removal of white persons, such persons shall be liable to repay such expense to the Commissioners—which repayment may be enforced by action of debt in any Court of common law.

RESOLUTIONS REMOVING THE INJUNCTION OF SECRECY  
AS TO THE FOREGOING REPORT AND RESOLUTIONS.

*Resolved*, That the injunction of secrecy be removed from the report and resolutions of Special Committee No. 2, adopted by the Convention, in so far as to permit the communication of a certified copy of the said report and resolutions to each of the Commissioners for Charleston, with leave to make known so much of the same as may be necessary to the several parties interested therein, and to the Commanding General of the Confederate forces in this State and the Confederate officer commanding at Charleston, and that the President be instructed to notify the Commissioners of their election.

*Resolved*, That the Commissioners for Charleston be each furnished with a copy of the "Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy," with the same right to communicate the same, as by a previous resolution of this Convention is given to the Commissioners for the Districts of Georgetown, Horry, Charleston, Colleton and Beaufort.

Done at Columbia, the eighth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON,  
*President of the Convention.*

Attest: B. F. ARTHUR,  
*Clerk of the Convention.*

FOURTH SESSION.





COMMUNICATION FROM HIS EXCELLENCY THE  
GOVERNOR.

STATE OF SOUTH CAROLINA,  
EXECUTIVE OFFICE,  
September 9th, 1862.

*To the President and Members of the Convention :*

The fifth section of the Ordinance creating an Executive Council, requires that the Governor "shall communicate to this Convention, and to the General Assembly, at every meeting of either body, full information concerning the transactions of the Council, and the condition of every Department."

The eighth section of the same Ordinance requires that "on the first day of each meeting of the People in Convention, the record of all the proceedings of the Governor and Council had prior thereto, shall be laid before such Convention, and the said proceedings shall be subject to review, and to repeal, or such modification by the Convention as to it shall seem proper."

The first section of the same Ordinance declares that the Council created "shall be called the Executive Council, which shall consist of the Lieutenant Governor and three other citizens of the State, to be chosen by ballot by the Convention."

The Council, so created, established separate Departments, and appointed heads to the same.

In conformity with the provisions quoted, I herewith transmit the original books of record kept by the Council, in order that you may "examine all the proceedings," and in addition to this, I herewith transmit the reports from the heads of the different Departments established. I also transmit copies of all military correspondence I have had, of any importance, with the President or Secretary of War, and the Governors of States, and with the Confederate Generals commanding, together with military telegrams, necessary to give your body full information as to what has been done in the State, and the present situation of our affairs.

As I was uninformed in regard to the entire objects and purposes to be effected by the Convention in creating this Executive Council, I

left the construction of its powers very much to the members appointed by your body to administer the powers conferred.

I acquiesced, and am not responsible for many measures, as original, positive measures, but rather as secondary or alternative measures, under the peculiar circumstances of the case.

F. W. PICKENS.

REPORT OF THE CHIEF OF THE DEPARTMENT OF THE  
MILITARY.DEPARTMENT OF THE MILITARY, S. C.,  
COLUMBIA, August 30, 1862.

TO HIS EXCELLENCY, GOVERNOR PICKENS :

SIR: In obedience to your requirement, made under the fifth section of "An Ordinance for strengthening the Executive Department during the exigencies of the present war," passed by the People of South Carolina, in Convention assembled, in January last, I have the honor most respectfully to submit the following report :

On the 8th day of January, 1862, I received a request from your Excellency, "to meet the members of the Executive Council for the purpose of being organized, as directed by the Ordinance." On the next day, which was the one appointed, all the members of that Council met your Excellency at the Executive Office, and proceeded to organization. The plan I proposed for the formation of Departments was adopted, and I had the honor of being assigned to the control of the Department of the Military.

On the 17th of the same month "the rules made and established by the Governor and Council, for the management of the Department of the Military of the State," prepared by myself, were, with a few modifications, adopted, and I then entered on the duties of that Department. A copy of these rules is appended, (marked A.)

On the 18th of January, special orders were issued by me to the several bureaus placed under my control, requiring a full report of the condition of each. From the shape and incompleteness of most of these statements, it was apparent that the "Army Regulations" had not been sufficiently the standard of form. Long experience has demonstrated that the close observance of these rules is essential to the establishment of system, the attainment of accuracy, and the enforcement of economy in the administration of military affairs. The system of regular and specific requisitions, according to form, for each month or quarter, was entirely neglected ; and hence, perhaps, the several bureaus, with one exception, were burdened with debt when I came into office. The want of cash and punctuality in payment, made

prices higher to the State than to some other buyers and contractors. In some instances, as I am informed by the heads of bureaus, purchases were made at a rate enhanced five per cent. on cash prices. This evil was soon remedied, by enforcing strict conformity to the rules of regular, specific, monthly requisitions, and upon them, supplying the money for each month in advance. In this I was promptly and efficiently aided by all the officers under this Department.

It was my desire to present accurately to your Excellency the condition of affairs in the Military Department on the 1st day of January last, but, despite of the most unremitting exertions, I am not able to do so, because of the entire neglect of that system, order and observance, and application of the regulations I have referred to. As drill and discipline are indispensable to fit the soldier for the field, so time, experience, and a thorough knowledge of approved forms, are equally essential to qualify the officer for his bureau, and the clerk for his desk. It is no reflection, therefore, upon your officers to intimate that, as citizens, aroused from the peaceful pursuits of an entire life, without the requisite experience, or superior guidance, they should be for a time embarrassed, and perhaps confused, by the suddenness with which the vast and multiform military interests of the State and country were pressed upon them. I have called your attention to this point, to account for any apparent deficiency in extent of information or accuracy in detail during the period alluded to, and which it might have been in my power to avoid, and my pleasure to supply, if the bureau provisions of the Army Regulations had been enforced from the date of secession to the establishment of this Department. I have another object, and the main one, which is to urge that these Regulations be strictly observed in the future, as they furnish the only plan whereby the finances of the State can be effectually guarded, its resources properly developed and economically applied, and full justice be always done to the soldier, by the State being ever ready to supply his wants.

It gives me great pleasure to bring to your attention, and through you to the State, my acknowledgments for the many valuable suggestions, as well as hearty coöperation, of the heads of bureaus, in my endeavors to produce order, efficiency and economy. I refer you to the numerous elaborate statements, exhibits, reports and accounts, made from their several offices, on file in this Department, as furnishing ample proof of the fact that their positions, at least, have not been sinecures. And while our hearts thrill with gratitude and admiration for the heroic achievements of our war-worn soldiery in the field, we must not forget



the silent, incessant and unapplauded toil of these officers, upon whose labor depends, in no small degree, the credit of the State, and the maintenance, comfort and efficiency of the army. Without fidelity and efficiency in the Quartermaster, Commissary and Ordnance Departments, the genius of Napoleon would be brought to nought. They should, therefore, be considered as of the highest importance, and filled always and only with the ablest and most faithful and experienced officers.

By a brief analysis, I propose to show, from the reports of the several bureaus, the extent of information they convey. It will exhibit their condition on the 1st of January and the 1st of July, 1862, embracing the first two quarters of the current year. I propose, also, to add, in appropriate location, the more important occurrences of the present quarter, and to the date of this report, and all other matters of interest in a military way, although not immediately connected with any of the bureaus.

#### ADJUTANT AND INSPECTOR GENERAL'S BUREAU.

First, the strength, condition and movements of our forces.

From reports of the Adjutant and Inspector General's Office, I have compiled a statement (in the Appendix marked B.), showing that on the 1st of January, 1862, the troops from this State, under Confederate orders, were as follows:

For the war..... 7,111 men.

For shorter periods.....20,251 “

Aggregate.....27,362 “

Of this number, 4,082 were State militia, not *mustered* into Confederate service, leaving really in Confederate service, subject to Confederate control, only 23,280 men. It appears from the same report that there were at that time sixty-four companies of “twelve months volunteers, for Confederate service,” either in camp of instruction or under marching orders for it. The report contains nothing in relation to the condition of the militia of the State.

Upon assuming the duties of this Department, I found the militia of the State virtually disorganized. The causes were manifest, and may be stated as follows: First, the heavy drain which had been made upon it. Including the sixty-four companies in process of formation, estimated, say at 5,000, with the 27,362 already in service, there was then an abstraction of its strength of some 32,362 men, more than half of

our arms-bearing population. Second, the indiscriminate recruiting actively going on, by special authority from Richmond, by officers in service, to fill up their ranks, by calls from the State to complete requisitions not fully answered, and by consequence of the Act of December, 1861, vacating all commissions under the grade of General, with the exception of volunteer companies in the 4th Brigade S. C. M. At this time, also, there were regiments and companies in the field, so scant in number as to make it proper to relieve them, for the purpose of reorganization; and there were hundreds in camp, and some in front of the enemy, without arms of any kind.

On the 2d of February last, the Secretary of War made a call upon the State to fill up the quota of troops enlisted for the war, to an amount equal to "six per centum of the total white population." Assuming our population to be 300,000, the quota would be 18,000 men. The Secretary supposed we had furnished, up to that time, about 6,000 men for the war, and called at once for five more regiments, expecting to make up the remainder by reenlistment among the twelve months volunteers. Being satisfied that he had under-estimated the number of men, both for the war and for twelve months, I called on the Adjutant and Inspector General for a report, setting forth the facts. That report was made on the 20th of February, 1862, and exhibits for the war 9,349 men, and for twelve months 21,321—total 30,670, sent into Confederate service. (See my report in Appendix, marked D.)

Before the letter of the Secretary reached your Excellency, I had repaired to Charleston, in answer to several pressing calls connected with the military condition of the State, and with the duties of my office. While there, I conferred freely with the Confederate General in command of that District, with General Gist, and communicated with General Lee, on the various necessities of our military condition. Under instructions of the Governor and Council (see accompanying papers, No. 1), I issued orders for the reorganization of the 4th Brigade, S. C. M., as one of the readiest means of obtaining immediate aid to meet threatening dangers. With the Adjutant and Inspector General, I considered and discussed the best mode of permanent organization of the militia, to meet promptly whatever demands might be made upon us. (See report—accompanying papers, No. 2.) On my return, about the 12th of February, I found the requisition of the Secretary of War, of which your Excellency had previously sent me a copy. My first step, under the authority of the Governor and Council, was to issue appeals to the army of the Potomac, to the twelve months troops

in this State, &c., to change the term of their enlistment from twelve months to the war. (See accompanying papers, No. 3.)

The report of the 20th of February, already referred to, disclosed the fact, that although the troops for the war exceeded the estimate of the Secretary, still they were far below the quota required of the State. To meet this deficiency in the quickest and most effectual way, as well as to establish a system of reserves, to answer promptly all demands in future, on the 7th of March, 1862, the Governor and Council adopted a scheme prepared by the Adjutant and Inspector General Gist, in conjunction with myself. It was a system of enrollment and conscription. (See accompanying papers, No. 4.) The only patent defect in the scheme, is the clause of exemptions. The wisdom of the measure must be proved by its results. Under its stimulus, volunteering took place with such alacrity that our skeleton organizations were rapidly filled, and new formations made. There was no necessity for drafts any where in the State for Confederate service, except in the City of Charleston, where the Adjutant General encountered every species of harassment and delay. (See accompanying papers, No. 5.)

On the 28th of April, 1862, the State had not only furnished the five regiments called for, but had exceeded the quota by four thousand and sixty-four men, as appears from the report of the Adjutant and Inspector General of that date. (See Appendix, C.)

Our conscription rolls had been completed, and the process of organization and transfer was going on, when, on the 16th of April, 1862, the Confederate Congress passed its Conscription Act. This law, taking from the control of the State all of its arms-bearing men between the ages of eighteen and thirty-five, threw our militia and conscript reserves again into confusion; in fact, entirely destroyed the latter organization. The history of Forts Beauregard and Walker—the condition in which the State then was—pitiably weak and unprepared—excited, confused, and at the mercy of a bold and daring invader—gave us a lesson which we would be criminal to forget, or fail to improve. It became, therefore, necessary for us to adopt a new scheme, and that speedily, to insure our protection. Accordingly, on the 24th day of April, 1862, I had the honor to submit to the Governor and Council a plan for the organization of two corps of reserves—one for active duty in the field, the other for police and patrol duty. (The resolutions, regulations, orders and other papers relating to the subject, will be found in the accompanying papers, No. 6.) I am

happy to state that we have, of the first corps, ten regiments, fully organized and officered, besides one company of mounted rifles, and others forming. It is believed that from them we could throw five thousand effective men, at short notice, into the field, to check the enemy until our Confederates could appear. We have ammunition and arms of good quality—many of them the most approved kind—sufficient in number to arm the whole. The Combahee Rangers, organized under resolution of the Governor and Council, have been accepted, and are now in the special police and military service, for which they were organized. According to my information, they are rendering useful and valuable service.

Some insubordination, in the first corps, has occurred in several Districts, namely, in Marlboro', York and Lexington, the causes of which, and the means taken to reduce it, will be spoken of hereafter.

From the report of the Adjutant General, of this date, it appears that the troops from this State, sent into Confederate service, are as follows :

*Infantry*—Twenty-eight regiments, two legions, eight battalions, two companies.

*Artillery*—Two regiments, one battalion, eighteen companies.

*Cavalry*—Two regiments, five battalions, seven companies.

*Total*—Thirty-two regiments, two legions, fourteen battalions, twenty-seven companies. Making an aggregate of forty-three thousand men contributed by the State to the public service. (See Appendix, E.)

While engaged in anxious labor to uphold the credit of the State, by responding to every just demand, and to defend her honor and maintain her interests, we were startled by the intelligence of the purpose of the Confederate General to abandon the control of the approach to Georgetown, and thereby throw open all that valuable region to the invasion and ravages of a ruthless enemy. Protests and expostulations were immediately made against it. General Harllee was sent at once to General Pemberton, to communicate with him on the subject, and to enforce, by a personal interview, the wishes and opinions of the Governor and Council. Upon his return, General Harllee made a verbal report, stating that General Pemberton declined to annul his order for the abandonment and dismantling of the forts, but intimated his intention to leave such troops in the vicinity as the exigencies of the service elsewhere would permit. The President was addressed on the subject,



and I asked him for guns, that we might undertake the defence ourselves. I believed then, and I believe now, that the region could have been successfully protected by us against the inroads and raids of the enemy, even if totally abandoned by the Confederate General. Governor R. F. W. Allston was the bearer of the communication to the President, and succeeded in obtaining two fine rifle guns, with equipment and ammunition—one a six pounder, and one a twenty-four pounder—which were receipted for and deposited at Florence, subject to the order of General Harllee, whose report (see accompanying papers, No. 7) will show how they were finally disposed of. To use the guns and other arms which we had to meet the emergency, a call was made for one thousand men—subsequently reduced to five hundred—to be taken from the 4th Division of South Carolina Militia, and from two adjacent regiments in another. General Harllee was appointed by the Governor and Council to organize and command them. Accordingly, orders were issued to him to assemble the Colonels of the several regiments indicated, and arrange with them the proportion and manner of supplying the call, either by volunteers or by draft, if necessary. All the necessary ordnance, Quartermaster and Commissary supplies were immediately ordered to the points indicated by General Harllee, where they were received. Nothing was wanting but men. The orders issued by General Harllee, now on file in this Department, and referred to by him in his report, show that there was no want of effort on his part to accomplish a work so important, and for which he had manifested so much zeal. It is with pain, sir, that I state to you the fact, that while the men were in the country, the spirit was wanting. Very few volunteered, and it became necessary to resort to a draft. Even this was eluded, to a great extent, by the rushing of those who were liable into Confederate service; many among those who submitted to the draft refused to obey the orders of General Harllee; some took to concealment, while others stood in open defiance of the law; others, again, became predatory outlaws, and threatened acts of violence and robbery in the vicinity of the few troops which did assemble at Stone's Landing, on the Pee Dee. This state of things demanded the immediate attention of the Governor and Council. By their direction, the proper orders were issued, copies of which will be found in the accompanying papers (No. 7 a). Some of the recusants were seized and put into prison; others warned and summoned for trial before a court martial. But the court itself seemed to have been inadequate to the conception or performance of its duty, and the defaulters escaped.



Perhaps it may be well to inquire into the supposed causes which produced this unhappy and disgraceful state of affairs. I do not believe that the body of the people in that section of the country were unpatriotic, or inclined to the disobedience of lawful authority. I feel otherwise, for from that very quarter a full proportion of gallant soldiers have been sent to the field in Confederate service. But the time of the call was unpropitious to the agricultural interest; the country to which they were ordered was supposed to be unhealthy at that season. The activity, and most of the energy, had been already extracted; the love of ease, convenience, and the desire to pursue ordinary vocations, had their full influence among those who remained. Still, I believe these would have been overcome, but for the fact that there were some leading men, disaffected to the existing Government of the State, who seized upon the facts I have mentioned, and endeavored to poison the minds of the people by inculcating the idea that the authority from which the orders emanated was unconstitutional—that the Convention of the people of South Carolina was without lawful existence, and without power. They were stimulated and supplied with noxious *pabulum*, through the channels of an uninformed press. All have stricken at the sovereignty of the State. Thus, sir, were ignorance, indolence, selfishness, disaffection, and, to some extent, disappointed ambition, combined, and made, unwittingly, to aid and abet the enemy, and, in like manner, to become the coadjutors of Lincoln and all the hosts of abolition myrmidons.

It is believed that in this way, and by such influences, the Executive authority of the State was frustrated, and prevented from securing from devastation one of the finest and richest portions of our country.

The abandonment of the forts and the region about Georgetown, by the Confederate Government, came upon us at a most inauspicious moment. All the troops we had then organized were, but a short time before, transferred to the Confederacy, to fill up the quota required by the Secretary of War; and all the conscripts we had then enrolled, and from among whom we could have raised a force ample for the defence of our eastern coast, were, at the very moment of need, swept from us by the Conscription Act of Congress.

In this connection, permit me to inform you that there are certain recusant Captains, who mock at the power of the Convention, and pretend to defy the Executive authority which it has instituted for the exigencies of the war. (See accompanying papers, No. 8.) It is hoped that calm reflection and a returning sense of what is due to the

State, in her present emergency, will render unnecessary an appeal to the higher powers of the law. But if this hope shall prove fallacious, then I trust your Excellency and the Council will approve of the measures I have prepared to reduce them to obedience, to vindicate the majesty of the law, and to uphold the outraged dignity of the State.

I ask leave, also, to submit, for the information of your Excellency, as part of the proceedings of my Department, the telegrams from the Mayor of Cheraw and General Prince, commanding 7th Brigade of S. C. M., in relation to the expected advance of the enemy's gunboats up the Pee Dee River; the authority I gave them at their request; to the protest of many of the worthy citizens of Marlboro' District, against the proceedings of General Prince; and my reply to the said protest. (See accompanying papers, No. 9.)

The question of exemption from military service, and the seeming conflict between the State and Confederate law on that subject, was a source of some embarrassment, and made heavy drafts upon our time and attention.

The exemption of overseers—a matter so important to the agricultural interests of the State, and so essential to a proper system of police—the Convention saw fit to confide to the Adjutant and Inspector General of the State. But the exemption of all other classes was left exclusively under the control of the Governor and Council.

Finding that much anxiety prevailed on the subject, I caused the Adjutant and Inspector General to issue a notification to all concerned, that those who held certificates of exemption from the State authority, would be protected under them. Subsequently, and on the 3d day of April, I addressed a letter to the Secretary of War, at Richmond, representing the importance of the matter—suggesting a plan whereby all difficulty could be avoided, and urging the exemption of overseers and military cadets. The reply of the Secretary was not satisfactory. In the latter part of June, and early in July, when I was charged by the Governor and Council to represent the interests of the State in Richmond, I brought the subject, among other matters, to the attention of the Secretary, and again urged upon him its importance. I stated to him, that if there was one great leading principle which distinguished the original contest between the Confederate and the United States, it was the difference between them in relation to the sovereignty of the States. We warred to maintain the sovereignty and equality of each and all of our States, while they endeavored to obliterate the States and consolidate a despotic empire; that the Governor and Coun-

cil must be governed by our view of the principle in insisting upon the exemption; that we were but the agents of the Convention, which represented the sovereignty of the State, and which had imperatively commanded the exemption of overseers in stated cases; that for us the Ordinance of the Convention was paramount law, and that we owed it to the sovereign power to insist—we had no alternative. The Secretary, of course, could not alter the law of Congress, but assured me there should be no conflict—that he had instructed his officer charged with the subject, to protest in cases where the State insisted, and send up the matter to Richmond. The question now has taken that turn, where it rests for the present. (See accompanying papers, No. 10.)

The power of appointment to office in the organizations known as the Regular Artillery, Infantry and Cavalry of South Carolina, has presented another vexed question, causing much correspondence, and some conflict. The power, for what seemed to be sufficient reasons, though not admitted to be in the President, was finally transferred to him. For full information on this subject, I refer you to the papers which accompany this report. (See accompanying papers, No. 11.)

In obedience to the resolutions of the Governor and Council, I corresponded with the Confederate General commanding in South Carolina, in relation to guards for the railroad bridges and trestles in this State. It will be seen that he declined to make a detail of men for that purpose. (See accompanying papers, No. 12.)

The defence of the City of Charleston has been, to us all, a source of constant solicitude. I have looked with deep interest, and some anxiety, on the preparations, material and progress of the defensive works. By request, I have ventured suggestions, and by authority of the Governor and Council, I have had correspondence and personal interviews with the President and General Cooper, in Richmond, touching all these subjects. Of my official visit to Richmond, I made a verbal report to the Governor and Council, which, under all the circumstances, I trust your Excellency will hold to be sufficient. I found the President, the Secretary of War and General Cooper keenly alive to the importance of an effectual defence of the City and State, and willing, at all times, to do all in their power to advance our wishes and interests. From the President, I am able to tender the State, through you, the assurance, that when the day of trial comes, he will not be unmindful of his duties—nor grudging nor slack in his performance of them. (See accompanying papers, No. 7 *b*.)

Being impressed with the inadequacy of the communication between

Charleston and James' Island, as well as between the city and the forts in the harbor, I directed Mr. J. R. Niernsee, who was engaged in building flats to transport stone for the Santee obstruction, so to increase his force as to enable him to build a sufficient number to establish an easy and adequate communication between White Point and James' Island. He has experienced great difficulty in procuring either material or labor. The work, therefore, is for the time suspended. I submit, however, that it should not be permanently discontinued. The gallant defence at Secessionville has saved the city. The brave and indomitable Lamar, and his gallant comrades, while winning renown and immortal honor for themselves, have placed their country under obligations of lasting gratitude.

The defeat of the enemy at Secessionville, and the great victory before Richmond, have obtained for us a short respite, which I trust will be properly improved.

As germane to the subject, I ask leave to state the connection of this Department with the vexatious question of impressment of negro labor. It began with correspondence with General Ripley, in Charleston. On my return to this place, on the 6th of February, 1862, I had the honor of proposing to the Governor and Council the following resolution :

*"Resolved, That it be referred to the Chief of Justice and Police, to inquire into and report on the propriety of rescinding, suspending or modifying any Act or resolution of the General Assembly of this State, giving power to the Governor and commanding General or Generals of the Confederate States, in South Carolina, to impress and seize, without notice, the negroes and other property of the citizens of this State; also, upon the expediency of adopting such resolutions as will at the same time procure prompt and efficient labor to the Confederate Government in this State, and protect the citizens from unnecessary irritation or injustice."*

It was not acted on, for some good reason, I suppose, probably because we were induced to believe that each call would be the last. This Department after that had no connection with the subject. Subsequently, it was considered by me only as a member of the Council. My communications on that subject will be found in the accompanying papers (No. 13). I ask attention to the correspondence between Gen. Ripley and myself, as early as February last, to show that the Confederate commanders did not then contemplate the present magnitude of



their works, as I have recently affirmed, in my communication to the Commissioners of Roads for Abbeville.

Early in July last, information was received from General Pemberton, announcing the advance of the enemy's gunboats up the Santee, and asking for State troops to defend the railroad bridge across that stream. Adjutant General DeSaussure was immediately despatched to organize the force called out, and conduct the movement. For an account of his proceedings I refer to his report, herewith sent. (See accompanying papers, No. 14.)

The Legislature, at its extra session in 1861, appropriated the sum of twenty thousand dollars for recruiting and reenlisting the regular forces of the State. And again, in December, at the regular session, by resolution, authorized the Governor to apply the additional sum of fifteen thousand dollars to the same purpose. What proportion of this sum was expended before the formation of this Department, I have no means of ascertaining. Since that time seventeen thousand dollars have been expended, or remitted to the following officers:

To Major Thomas Wagner.....	\$12,500
To Major J. C. Simkins .....	2,500
To Captain T. B. Ferguson.....	2,000
	<hr/>
	\$17,000

All returns of moneys spent are made and vouched at the Department of the Treasury, and as none have reached me, I refer you to the Chief of that Department for further information. I believe, however, that there has been no regular return, except by Major Simkins.

#### QUARTERMASTER GENERAL'S BUREAU.

For the condition in which this bureau was found, for the changes in its organization, I had the honor to suggest, in order to make its operation lawful, efficient, and more economical, I ask leave to refer to a report made by me in February last. (See accompanying papers, No. 15.) The returns made in obedience to orders from this Department show that, notwithstanding the heavy payments made during three months, from the 1st of October, 1861, to 31st December, 1861, amounting to \$370,177 17, this bureau was, on the 1st day of January, 1862, burdened with a debt of nearly \$170,000. It was consequently trammelled in its operations. It might have been profitable, if it had been possible, to pursue the investigations through a period anterior,



but this could not be done, because I have failed to obtain any satisfactory records or returns, or any showing whatever, previous to the administration of the late Col. Glover. And even from these I am unable to collect that detailed information on some points which it was desirable to present in this report. There is, however, sufficient evidence to show that a large part of this heavy expenditure was made on account of the clothing department, established under the order of your Excellency, in September, 1861. Should the amount due for clothing ever be collected, it will properly go to the credit of that outlay, as should also a due proportion of the issues of the present year, and of the stock on hand on the 1st day of July, 1862.

The cash transactions of the first two quarters of the current year, as condensed from the returns on file in this Department, exhibit the following results: (See Appendix, F.)

Receipts from all sources, from January 1 to July 1, 1862.	\$274,522 05
Expenditures for all purposes.....	239,702 29

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*Balance on hand July 1, 1862.....	\$34,819 76
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Of this balance, \$30,000 are held in thirty several Confederate bonds, bearing 8 per cent. interest, which I directed the Quartermaster General to take in payment for sales made to the Confederate Government. The annual interest of these bonds will more than pay the salary of the Quartermaster General. Of the expenditures, \$169,047 56, more than three-fourths of the whole amount, were required to meet the liabilities incurred before this Department was established, leaving the comparatively moderate expenditure of \$70,654 73 for the transactions of the current year. This sum includes the *extraordinary* expense of removing the bureau and stores from Charleston to Columbia. The changes in the bureau force, suggested in my report referred to, and authorized by the Governor and Council, have been made. The results, as exhibited in the Appendix (marked G.), show a reduction of more than half in the item of salaries, an annual saving, when compared with the highest expenditure, as shown in the account, of \$8,305 60,

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* Balance on hand July 1.....	\$34,819 76
Receipts during July.....	55,055 19
	<hr/>
	\$89,874 95
Expenditures during July.....	6,484 42
	<hr/>
Balance on hand 1st of August, 1862.....	\$83,390 53

and when compared with the lowest, an annual saving of \$6,205 60. Notwithstanding this effort at economy, the operations of the bureau have been conducted with a vigor and promptitude fully adequate to any demand which has been, and, it is believed, which may be made upon it. It is now entirely free from debt, and I have no doubt that its efficient condition will not only be sustained, but increased, by the able, energetic and experienced chief now at its head.

Exhibit II, in the Appendix, is an abstract of the purchase and issue of leading articles from the 1st of January to the 1st of July, 1862.

In my report of the 7th of February last (before referred to, as No. 15, accompanying papers), I called the attention of the Governor and Council to the fact, that the mode of supplying clothing, &c., to the soldiers, was not in accordance with the Act of Congress, passed August, 1861, and by dealing with the captains of companies instead of directly with the Secretary of War, as the law provides, I feared would occasion great loss to the State. I stated that I did not discontinue the system at once, because our interests had already become entangled with it, but I urged such discontinuance at as early a day in the future as they would permit.

The results of the system are more disastrous than I then thought possible. Although the returns indicate a large increase in the collections for clothing sold, as will be seen in exhibit F. (before referred to), still, on the 1st day of July, 1862, there was due by officers for clothing thus sold them, the sum of \$127,288 94, and it is presumed that no considerable portion of this amount will ever be collected, as the frequent changes occurring from death, transfer, discharge, promotion, &c., will render the most untiring efforts for that purpose unsuccessful.

But this loss, large as it is, does not cover the question. The advanced price of clothing material has rendered the fifty dollars commutation allowed the soldier for clothing inadequate, as will be seen by reference to a tabular statement accompanying the report of General Jones on this subject. (It is appended, marked I.; also, see the accompanying papers, No. 16.) From this statement it appears that, by pursuing this system to the same extent as heretofore, and with half the number of men we have now in the field, the State would lose, in one year, the sum of nine hundred and forty thousand dollars, even were we able to collect every dollar of the commutation money. The risk of this enormous loss, as well as that actually sustained, was entirely unnecessary, in my judgment, as the Act referred to provides,

"in case any State shall furnish to its troops and volunteers in the Confederate service such clothing, then the Secretary of War is required to pay over to the Governor of such State the *money value* of the clothing so furnished." Such being the case, I have directed the Quartermaster General to discontinue the system in its present form, but obtained the authority of the Governor and Council to continue the traveling agent in Virginia for the present, with a view of making further collections, if possible.

In accordance with the resolution of the Governor and Council, adopted the 28th of April, 1862, I have appointed Gen. James Jones a commission to inquire into and report upon the matter of future supply of clothing for all our troops. I have his report now before me.

In obedience to the resolution of the 8th of August, 1862, I have ordered all the officers therein named under bond.

## COMMISSARY GENERAL'S BUREAU.

I found this bureau in admirable condition, and in the hands of the efficient officer now at its head. The stores on hand were, in some respects, limited, but measures had been previously taken to increase them largely.

The cash transactions for the present year are shown in the Exhibit marked J., in the Appendix. They present the following aggregate results :

Receipts from all sources.....	\$152,952 44
Expenditures for all purposes.....	132,696 23
Balance on hand the 1st of July, 1862.....	\$20,256 21.

Exhibit K. shows the cost value of stores on hand on the 1st day of July, 1862, to be \$117,241 21. Their present market value is more than double that amount. This statement does not include the heavy stores of beef and bacon cured and packed in the upper Districts, by Mr. Robert Adger. The correspondence in this Department shows that this patriotic citizen, failing to receive any authority or guarantee from the State, upon the earnest assurance of Colonel Walker, the Commissary General, that he deemed the measure of vital importance to the welfare of the country, assumed all the risk, advanced the funds, and devoted his time gratuitously to the purchasing, slaying, curing and packing of beeves and hogs, to the extent of more than one hundred

tons in weight, which he placed at the control of the State. Such conduct, in these times of extortion, stands out in bold relief, and merits, as it will receive, the admiration and gratitude of his country. The Commissary General, while receiving this valuable contribution, is now engaged in settling the account of Mr. Adger.

Exhibit L. will show the leading purchases, issues and balances for the present year. From statement J. it appears that the Confederate Commissary has been, to a large extent, supplied from our stores. By reference to the orders and correspondence (see accompanying papers, No. 17), it will appear that I ordered a temporary discontinuance of these sales, for reasons assigned, giving to the Commissary General discretion to resume in conformity to the general purpose I had in view. This measure was attended with very favorable results, inasmuch as heavy stores, in consequence, were purchased by the Confederate Government from the Sea Islands and abandoned and exposed plantations, while the State was thus enabled to husband its already secure supply, to meet unforeseen contingencies.

The accompanying papers (No. 18) will show that I ordered the collection and purchase of three thousand casks of rice from exposed regions, and afterwards, by authority, duplicated the quantity.

Owing to the extravagant prices demanded for provisions, I have deemed it expedient to instruct the Commissary General to supply the Commissariat of the South Carolina Military Academy with stores at cost prices, thereby effecting a large saving to the State, without impairing our resources to any appreciable extent.

From time to time our stores have been carefully inspected, and reported in good condition.

The one hundred and eighty-six sacks of salt, seized in Cheraw last fall, by the order of your Excellency, was, by authority, sold as directed in my order. (See accompanying papers, No. 19.)

I have, also under authority, directed the Commissary General to distribute the eighty sacks of ocean salt we have on hand to the Soldiers' Relief Associations of the several Districts, to be sold in small quantities, at cost, to the families of our soldiers in service. The upper and more populous Districts have received the first supply, and we expect to send, as fast as it comes to hand, a due proportion to each District in the State. I have purchased, for the sum of four thousand five hundred dollars, a large brick store, for the use of this and other Departments. The purchase is a good one, and the title is in the State.



The building can now be sold at a large advance, if the State desires to sell.

Exhibit L. also shows the locality of the stores, &c., where they are deemed safe. Notwithstanding the heavy expense of transporting them into the interior, there has been a considerable reduction in the bureau expenses.

#### SURGEON GENERAL'S BUREAU.

This bureau, in charge of the Surgeon General, has not been organized in accordance with the plan suggested in his report (see accompanying papers, No. 20), because we have had no large bodies of organized forces in State service. Should, however, the Confederate Government leave our present organization undisturbed, it might be well to consider and act upon the suggestion of this officer.

The cash transactions have been as follows :

Received from Treasury, under appropriations of the Legislature.....	\$2,000 00
Expenditures on Hospital account, as per vouchers filed in this office.....	763 12
	<hr/>
Balance on hand.....	\$1,236 88

At the suggestion of the Surgeon General, I issued an order, in July last, directing the establishment of a Way-side Hospital at Kingsville; since which date it has, under temporary arrangements, dispensed its benefits to the sick and wounded soldier on the way. I am happy to be informed, by the Surgeon General, that the permanent hospital building is nearly ready for occupation; and with the facilities now at our command, we have good reason to hope that the sufferings of the soldiers *in transitu* will be greatly alleviated.

In the latter part of March, I obtained the authority of the Governor and Council to transmit, by the hands of a trusty agent, exchange on Europe for the purpose of replenishing our exhausted medical stores. We have quite recently received the bulk of our purchases safely, and I trust that the Surgeon General will have it in his power to open and report upon them before this report is closed. From the supplies received, I have directed him to sell to our soldiers in service an half-ounce of quinine each, at one-half the current rates.



## PAYMASTER GENERAL'S BUREAU.

This bureau, like that of the Quartermaster General, was burdened with pressing claims. The troops called out by your Excellency, in November, 1861, and placed under the command of Confederate officers, although never regularly mustered into Confederate service, being all the time, however, actively employed under Confederate authority, it was hoped that the Confederate Government would pay them; this it failed to do, and our unpaid soldiery became clamorous for their pay. Immediately after taking charge of my Department, I presented these facts to the Secretary of War, who replied that the State must meet these claims for the present, and leave the matter for future adjustment with the Confederate Government. I then, under authority, instructed the Paymaster to prepare estimates. The operations of this bureau have been principally confined to the examination and settlement of these claims.

The cash transactions, exhibited in the Appendix (marked M.), show the following aggregate results:

Receipts from all sources, to 30th of June.....	\$57,788 89
Expenditures for all purposes " " " .....	54,405 23
Balance on hand the 1st of July.....	\$3,383 66

The Paymaster General has no clerical force in his bureau, and has faithfully discharged the duties of his office.

## ENGINEER'S BUREAU.

The State has no organized Bureau of Engineers, nor any Engineer corps; but under this head I may refer, with propriety, to several reconnoissances made under my instruction. (See accompanying papers, No. 21.)

With a view to obstruction and defence, in February last, I caused a reconnoissance to be made of the Santee and Pee Dee rivers. The first was conducted by a commission composed of Messrs. John L. Manning, John R. Niernsee and John Macrae. It was thoroughly done, as will appear by the report of the commission, herewith sent. The obstruction in the Santee was not immediately begun, as it was not deemed, at that time, necessary—the enemy not then being in possession of any gunboats of draft light enough to pass the bar at the mouth of the river. Not feeling easy, however, for the safety of the

railroad bridge across that stream, and of the plantations below, I directed the obstruction to be made some time in May last. It is not, however, sufficient, and I am now prepared to make it of a character so formidable that no boat can pass, provided it is defended by a battery and a few rifles. The direction of the work will be under Mr. Niernsee, in whose engineering skill and ability I have great confidence. This obstruction is below Lanneau's Ferry, and will guard both the Congaree and Wateree rivers.

The reconnoissance and obstruction of the Pee Dee river were intrusted to a commission consisting of Generals Harlee and Gonzales, Mr. Geddes and others. This obstruction, at Stone's Landing, on the Pee Dee, has been complete for many months. The work was promptly and energetically done. It is supposed to be adequate, and is guarded by a battery and some infantry. For further information on this subject, I refer your Excellency to the report of General Harlee, which is herewith sent.

The cost of the reconnoissances was but small—the gentlemen of the commission charging only their personal expenses. The obstruction on the Pee Dee cost us, according to the report, four thousand four hundred and twenty-six dollars. That on the Santee is not complete, but we suppose will not cost more.

I caused still another reconnoissance to be made, which was of the mountain passes leading to this State from Tennessee, North Carolina and Georgia. This was performed by Messrs. J. R. Niernsee and John Macrae. It may yet prove very useful. For the manner in which it was done, and for full information on the subject, I take great pleasure in referring you to the elaborate report of these gentlemen, herewith sent, and to the beautiful map which accompanies it.

The entire cost of all the reconnoissances and obstructions, as far as rendered, will be seen to be comparatively small. (See Appendix N.)

Expenditures .....	\$5,458 33
Cash drawn from Treasury.....	5,458 33

#### ORDNANCE BUREAU.

On assuming the supervision of this bureau, I discovered that its large stores of ordnance and small arms had been scattered broadcast over the Confederacy, and its efficiency much injured by an irregularity which I will notice hereafter, and of which the able officer in charge complained. As the best method of presenting its condition, I propose a brief review of the operations of 1861. A tabular statement, pre-

pared from reliable data, furnished by the laborious investigations and elaborate reports of Major Eason and Captain Thomas, is hereto appended (marked O.), and shows the following results:

<i>Heavy Ordnance</i> —On hand December, 1860.....		103	
Purchased from Tredegar Works in 1861.....	10		
		—	113
Issued.....			100
		—	
On hand the 1st of January, 1862.....			13
<i>Field Artillery</i> —On hand December, 1860.....		66	
Donated by Messrs. Fraser & Co.....	2		
“ “ P. C. J. Weston and C. K. Prioleau,			
1 each.....	2		
		—	70
Issued .....			52
		—	
On hand 1st of January, 1862.....			18
<i>Muskets and Rifles</i> —On hand December, 1860.....		27,407	
Bought by order of Governor Gist.....	4,850		
		—	32,257
Issued or unaccounted for.....			29,086
		—	
			3,171
Deduct condemned, “Irreparable”.....			452
		—	
On hand the 1st of January, 1862 .....			2,719

Of side arms, two thousand two hundred and seventy-one pistols, and two thousand three hundred and thirteen swords and sabres, had been distributed, leaving none of the former, and only three hundred and thirty-five of the latter, on hand the 1st of January, 1862.

<i>Powder</i> —On hand December, 1860, pounds of, 20,400			
Purchased in 1861.....	417,550		
		—	437,950
Issued.....			373,897
		—	
			64,053
Deduct old and damaged.....			4,843
		—	
On hand 1st of January, 1862, pounds of,			59,210

From the statistical tables (accompanying papers, No. 22,) it appears that a large proportion of these issues were sent beyond the

limits of the State, to various points in Tennessee, Florida, Georgia, North Carolina and Virginia. With reference to the irregularity in the bureau, of which I have spoken, I submit the following extract from the able report of Major Edward Manigault to the Board of Ordnance, made November 21st, 1861 :

“There is one crying evil which I must state broadly and distinctly. The Arsenal Keepers in Charleston and Columbia are instructed to issue ordnance and ordnance stores on the order of the Governor, or his Adjutant General; on that of the Board of Visitors; on that of the Board of Ordnance, through their Chairman; on that of the Chief of Ordnance, and to the Major General of the Militia commanding the division in which the arsenal is. Whatever the precise instructions may have been, there is no doubt this has been the practice.” In consequence of this irregularity, it became necessary to give the ordnance officer an order not to issue any ordnance or ordnance stores without the express order of this Department, or of the Governor and Council.

The weakened condition of this most important branch of our military strength was more deplorable, because existing at a time when the enemy, flushed with having successfully established himself at Port Royal, was arrogantly threatening our speedy subjugation. Prompt and efficient action was required to place this bureau in a condition of adequate supply.

At the first meeting of the Executive Council, on the 9th of January last, I had the honor to propose the resolution then adopted. (See accompanying papers, No 23.) Under its provisions, I forthwith published a call for the collection and return of State arms and equipments, inviting those who had more than one rifle or double-barrel gun to send them to the Department, to be paid for at a fair valuation. I corresponded with parties of known energy and prudence, authorizing them to collect public arms, and purchase effective weapons in private hands, and appointed Captain T. W. Radcliffe General Agent of the State for that purpose, giving him authority to appoint sub-agents, under instructions.

The result of this movement was not only to secure some hundreds of serviceable rifles and double-barrel guns, but also to gather into the State Arsenals several thousand public arms and accoutrements, nearly all of them serviceable, or susceptible of being rendered so, and four light bronze field pieces, with equipments. In addition, valuable donations of small arms, lead, brass, &c., were made by patriotic citizens; and various congregations and corporations, moved by a holy impulse,



freely forwarded their bells to be moulded into cannon. The accompanying papers (No. 24) furnish the more important details of these collections and contributions.

Under the direction of the Governor and Council, I appointed Mr. David Lopez General Superintendent for the manufacture and repair of small arms. (See accompanying papers, No. 25.) For the repair of arms, and the manufacture of pikes, in which I had never any faith, the work-shops were occupied in the State House grounds. At this period, the demand upon my time and attention from this and all the bureaus, and from an infinite number of other sources, become so oppressive, that I obtained the assent of the Governor and Council to form the Department of Construction and Manufacture, to the control of which was assigned the Hon. W. H. Gist, in whose hands the work has been energetically pressed. For further information on the subject, I refer you to his report.

In the latter part of March, under authority, I transmitted, by Mr. Evans, of Charleston, a bill of exchange on England for the purchase of rifles, ammunition, equipments, medicines, &c. Nearly all have safely reached us. Some cases were thrown overboard while running the blockade. Of the rifles (Enfield), we have now at the Arsenal at Columbia 2,535. The purchases made under this adventure could now be sold for five times their cost.

Under authority, a revolving cannon has been purchased by the Department, and is now in good hands, from which we expect good service. It was only lent to the Confederate officer, and is subject at any moment to the order of the State.

Efforts to procure powder have not availed much to increase our stock; but what we had on hand has been carefully husbanded, and issued only when the public good demanded it. At an early period, the Confederate Government was notified that our stock was low, and that they must look elsewhere for supplies. It will appear in another part of the report that due attention has been given to the production of the material most essential to the manufacture of gunpowder.

An examination of the exhibit O., before referred to, will show that the stock of fixed ammunition for small arms has been more than tripled since 1st January last, requiring over 12,000 pounds of powder. This table will also show the gratifying result of my efforts to procure arms.

During the year we have issued 7,397 effective rifles and muskets—more than three times the number we had on hand on the 1st of Janu-



ary last—among them the 1000 received by your Excellency from Richmond some time last winter or spring; and we have now on hand 7,710, nearly triple, also, the number in January. Among those we have now, one-third are new, first class Enfield rifles, and all in good condition. The statement does not include the guns now in the workshops in Greenville for repair. Of side arms, also, we began the year with little, have made large issues, and have a fair supply on hand.

The small supply of heavy ordnance, with the collection we have been able to make, has been exhausted by the constant and heavy demand of the Confederate Government for the defence of Charleston. None, however, has been sent out of the State. We have but two on hand. The field artillery has been increased thirty-one pieces since January last, but the issues have kept pace with the additions, leaving at this time but eighteen light pieces. There were twenty-two artillery carriages on hand on the 1st of January, many of them old, and some worthless. The supply was increased by twenty-seven new, or thoroughly repaired; but the demand around Charleston has reduced the total number on hand to eighteen. The supply of prepared projectiles has been more than doubled, and the unprepared sustained. These facts speak well for the energy and efficiency of Major Eason, now at the head of the bureau.

A large quantity of lead has been purchased, and besides that moulded, we have now on hand 21,000 pounds. We have been able to make slight additions to our cannon caps, and an increase to the stock for small arms. I have endeavored to obtain adequate supplies from the Secretary of War, but although promised, they have never been received. With the exception of powder and heavy ordnance, the bureau will be adequate to all probable and reasonable demands. It is now in good condition.

Exhibits R., S., T., U. and V. show the issues of all classes to the Confederate Government during the present year.

It was deemed prudent to move the heavier and more important stores from Charleston to Columbia. The construction, therefore, of a new magazine became necessary. Captain Thomas was ordered to have one built. It is finished, received, will contain 100,000 pounds of powder, and cost the State \$1,200. Guns repaired under some contracts which I have been unable to see, were so defective that large numbers were constantly returned to be done anew. To the force of the bureau it became necessary to add a first class armorer. But, not-

withstanding the increase of the bureau force, its expenses are over two thousand dollars less per annum than those of last year.

Appended (marked P.) will be found an exhibit of the cash transactions for 1861, and, notwithstanding the heavy expenditure, the bureau, like some of the others, was burdened with debt. Some \$33,000 of old obligations have been paid since January last.

The cash transactions for the first two quarters of this year will be seen in exhibit Q., and may be stated generally:

Receipts from all sources.....	\$109,176 54
Expenditures for all purposes.....	106,776 60
	<hr/>
* Balance on hand the 1st of July.....	2,399 94

Most of the troops from South Carolina, in Confederate service, have been armed by the State, and it is believed that we will never be able to reclaim them. The Confederate Government, as I understand, refuses to redeliver to the States, but assumes the ground that the arms have become Confederate property, to be accounted for in a future settlement. How far we will be able to make out a full account from the beginning, I am unable to say. The Confederate Government has made application for the arms imported by the State under order of this Department. I have taken the liberty to decline to turn them over, and recommend that we shall never again strip the State of the means of self-defence.

#### LEAD MINE.

Under authority of a resolution introduced by your Excellency, I availed myself of the proffered scientific skill and services of Dr. John LeConte, to examine the lead mines in the State. The lead mine in Spartanburg he reports to be rich in ore, and easily worked. Arrangements have been made with the proprietor, Mr. Cammeron, to place it for a time in the hands of the State without charge, until all expenses incurred shall be paid, and after that time to receive a certain ratio of the yield. Dr. LeConte has taken steps to procure the necessary skilled labor to work the mine. (See accompanying papers, No. 25.)

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*Balance on hand July 1.....	\$2,399 94
Receipts during July... ..	23,228 03
	<hr/>
Expenditures during July.....	\$25,627 97
	20,385 91
	<hr/>
Balance on hand August 1.....	\$5,242 06

## SALTPETRE PLANTATION.

In the early part of the present war, and for some time anterior, one of the greatest sources of anxiety to the Government, and to the intelligent citizen, was the very limited, in fact the totally inadequate supply of gunpowder. We were, to a great extent, cut off from the foreign world, from whence alone we could procure a sufficient quantity. To manufacture a sufficiency to meet the wants of the army in every quarter, was beyond our power. The chief ingredient, seventy-five per cent. of which enters into the manufacture, was at the time beyond our reach. It is true that there were within the limits of the Confederacy saltpetre caves, but their yield was far short of our necessities. There was but one way to supply the deficiency, and that was to produce it ourselves. Accordingly, early in February last, I caused a brief statement of the process of production to be published, and called upon all who could to aid us by making it. To this there was no response. I determined then to produce it under the immediate direction of this Department. On the 14th of March, I had the honor to introduce a resolution authorizing me to do so. The authority was granted. On the 21st of the same month, I wrote to Dr. W. Hutson Ford, who was then a Surgeon in the army on the coast, requesting him to undertake the superintendence of the plantation. General Pemberton at once detailed him, and he reported here without delay. On the 28th of March, Dr. Ford was appointed Superintendent, and entered at once upon the discharge of his duties, with great zeal and intelligence.

Five acres of land were leased for this purpose, at an almost nominal rate, from Dr. Parker, and the necessary sheds, buildings, &c., constructed. A large number of beds have been made, which are in rapid process of nitrification. What quantity of nitre may be expected from them, cannot now be accurately stated, but it is hoped and expected that after a period of from eight to twelve months from the time they were made, that we may obtain at least one thousand pounds daily, which would make one thousand three hundred and thirty-three pounds gunpowder. In order to produce it more rapidly, I have ordered the preparation of a wagon train, with troughs, pans, &c. This can be done by extracting such earth beneath buildings in Columbia, and the adjacent country, as is generally found to contain nitre. By these means we can produce saltpetre enough to insure a constant supply to manufacture a sufficient quantity of powder for the wants of the State,

at all times. (See report of Dr. Ford, in accompanying papers, No. 26.) The sulphur and charcoal can always be obtained.

It is believed that the saltpetre plantation, under the charge of Dr. Ford, is the first ever established on this continent; and I must here express my obligations to Dr. Joseph LeConte, for his valuable aid in establishing this plantation. A copy of his "instructions for the manufacture of saltpetre," is herewith presented to you. The cost of the plantation, up to the 1st of July, 1862, as per Exhibit W., appended, is as follows:

Receipts from Treasury.....	\$9,488 10
Expenditures to 1st of September.....	9,100 59
Balance on hand September 1, 1862.....	\$387 51

#### GUNBOAT.

An appropriation of three hundred thousand dollars was ordered by the Convention, at its last meeting, for building a marine battery or ram, and for the construction or purchase of other vessels adapted to coast or inland defence, and the Governor and Council were "empowered, on consultation with the officer of the Confederate Navy for the time being in command of the Military District whereof the city of Charleston forms a part, to order the building or purchase of said vessels."

During my first tour of duty in Charleston, in the latter part of January, I conferred freely with Commodore Ingraham on this subject; and subsequently, on the 12th of February, in obedience to a resolution introduced by your Excellency, I communicated with him in writing. He referred me to flag-officer Tatnall, commanding in the waters of South Carolina, then at Savannah. As the enemy's fleet intervened between that officer and the harbor of Charleston, I addressed the President, at the request of the Governor and Council, asking that Commodore Ingraham might be placed in command of naval affairs in Charleston. Commodore Ingraham, Captain Hamilton and G. A. Trenholm, were appointed a commission to carry out the resolution of the Convention, and notified that the fund was subject to their order.

This commission did not act, because it was thought unnecessary to use the funds, and impracticable to obtain workmen and material—the Confederate Government having already given orders to Commodore Ingraham to build a boat of like character, and six gunboats of smaller class. Thus the matter was suspended until the 8th of April, when,



being notified of a change in the condition of things, which made it expedient to undertake the construction of an iron-clad vessel, another commission, consisting of Messrs. J. K. Sass, G. A. Trenholm, C. M. Furman, W. C. Courtenay, and W. B. Heriot, was appointed, the appropriation placed at their disposal, and after unavoidable delays, the enterprise was fairly commenced on the 9th day of April.

For the manner in which the work has been carried forward, as well as an accurate description of the boat, I ask leave to refer to the report of the commission, in the accompanying papers (No. 27). The "Chicora" was successfully launched on the 23d day of August, and now rides beautifully on the waters. The vessel will be transferred, on completion, by name to the Confederate Government, pursuant to an agreement with the Secretary of the Navy to do so, on being reimbursed the entire cost.

The commission, under authority asked for and obtained, are proceeding with arrangements to build two more gunboats as rapidly as possible—one of them to be of lighter draft, for river defence.

#### CONCLUSION.

It will be seen that the reports of bureaus are made in full up to the 1st of July only, except that of the saltpetre plantation, which is made in full up to the 1st of September. This is done because the *monthly statements* form only partial items of the *quarterly accounts*. Wherever the transactions for July have involved matters of moment, I have given a synopsis of them, and may remark that the statements for that month indicate a continued careful compliance with the "Army Regulations."

I append a statement (marked X.), showing at a glance the object for which each expenditure was made, the amount of the expenditure, and the authority under which it was made.

The multiplicity of subjects, and infinite details connected with the operations of this Department, have enlarged my report beyond the volume within which I would have been pleased to encompass it, but anything less would not have presented the "business and condition" of the Department.

All of which is respectfully submitted,

JAMES CHESNUT, JR.,

*Chief of the Department of the Military of South Carolina.*



## APPENDIX.

## A.

STATE OF SOUTH CAROLINA,  
EXECUTIVE COUNCIL CHAMBER,

January 17, 1862. ●

*Rules made and established by the Governor and Council for the management of the Department of the Military of the State.*

RULE I. It shall be the duty of the Chief of the Military Department to examine into the military condition of South Carolina, which includes the returns and present condition of the troops in service, and the militia not in service, together with the number, amount and condition of arms, ordnance, ammunition, clothing and supplies, and to report the same to the Governor and Council.

RULE II. It shall be the duty of the Chief of said Department to keep in proper form and report regular and exact returns of the military force of the State in Confederate service and in the militia of the State, and of all military stores, arms, equipments and supplies in the magazines and other places in the State, and to order, receive and take them, and all arms, ammunition and equipments, from officers and other persons in whose possession they may be, which belong to the State and are not used in actual service, and to direct them to such places as he may deem proper.

RULE III. The Chief of said Department shall form estimates for all such stores, arms, ammunition, equipments, clothes and supplies, as may be requisite for the military service of this State and the contingencies of Confederate demand, and providing adequate magazines for the same where such do not now exist, and report the same to the Governor and Council, that due provision may be made therefor.

RULE IV. The Chief of said Department shall give directions necessary to carry into operation all resolutions and directions of the Governor and Council, by orders through the Adjutant and Inspector General's Department, for raising, arming and equipping troops for the service of the State and of the Confederate States, under the authority of the State, and for organizing, providing and inspecting the same;

and to direct the arrangement, distribution, transportation and operation of such troops (till mustered into Confederate service) as may be brought into the service of the State under and subject to the orders of the Governor and Council, and to provide for the transportation, safe keeping and distribution of supplies necessary for the troops called into the service of the State, or which the contingency of the Confederate service may appear to require.

RULE V. The Chief of the said Department is vested with all such powers as are necessary for a full performance of the duties above specified, or which may hereafter be imposed, and to this end he may supervise, direct and give all proper orders to the Commissary, Ordnance, Quartermaster and Medical Departments of the military organization of the State, and command all officers and employees in the military service of the State, and to depute to them such matter and at such times as he may see proper. He is vested with further power to remove all persons employed in any of the Departments aforesaid, and to appoint others in their stead; but all such orders, removals and appointments, shall be done by orders through the Adjutant and Inspector General's Department, and shall be reported to the Governor and Council at their next meeting thereafter, and be subject to the control of the same. Appointments to all vacancies in the military service of the State heretofore vested by law in the Governor, shall be vested in the Chief of the Military Department, subject to the previous decision of the Governor and Council.

RULE VI. The Chief of the Military Department shall keep a book or books, in which all orders and directions made or given by him shall be transcribed, and the same shall be submitted to the Governor and Council at each successive meeting; and to enable him to discharge such duties as are imposed, he is authorized to employ one or more clerks, upon such compensation as may be fixed by the Governor and Council.

By order of the Governor and Council.

F. J. MOSES, JR., *Secretary.*

## B.

*Statement of South Carolina Troops mustered into the service of the Confederate States, or under Confederate orders, on the 1st day of January, 1862, compiled from the reports of the Adjutant and Inspector General of South Carolina.*

STYLE OF ORGANIZATION.	NAME OF COMMANDER.	ARM OF SERVICE.	TERM OF SERVICE.	PRESENT LOCATION.	ORIGINAL STRENGTH.	REMARKS.
1st Regt. S. C. Vols	Col. Hamilton.....		For the War	Va.	800	Muster'd In Conf. Ser.
2d " " "	Col. Kershaw.....		12 months..	"	841	" "
3d " " "	Col. Williams.....		"	"	1,000	" "
4th " " "	Col. Sloan.....		"	"	973	" "
5th " " "	Col. Jenkins.....		"	"	1,124	" "
6th " " "	Col. Winder.....		"	"	813	" "
7th " " "	Col. Bacon.....		"	"	803	" "
8th " " "	Col. Cash.....		"	"	819	" "
11th " " "	Col. Blanding.....		"	"	896	" "
Hampton's Legion....	Col. Hampton.....	Mixed....	"	"	1,100	" "
Calhoun's Lt. Bat'ry	Capt. Calhoun.....	Artillery..	"	"	84	" "
Manguin's Company	Capt. Manguin.....		For the War.	"	84	" "
Boykin's Rangers....	Capt. Boykin.....	Cavalry ..	"	"	78	" "
Kirkwood Rangers...	Capt. Shannon.....		"	"	63	" "
Coit's Artillery.....	Capt. Coit.....	Artillery	"	"	116	" "
1st Regt. S. C. Vols	Col. Hagood.....		12 months..	S. C.	850	" "
9th " " "	Col. Heyward.....		"	"	761	" "
10th " " "	Col. Manigault.....		"	"	1,146	" "
12th " " "	Col. Duvoiant.....		For the War.	"	789	" "
13th " " "	Col. Edwards.....		"	"	704	" "
14th " " "	Col. Jones.....		"	"	902	" "
15th " " "	Col. DeSaussure.....		"	"	813	" "
16th " " "	Col. Euford.....		12 months..	"	713	" "
17th " " "	Col. Means.....		"	"	783	" "
Holcombe Legion....	Col. Stevens.....	Mixed....	"	"	1,120	" "
S. C. Regulars.....	"	"	"	"	1,136	" "
Coast Rangers.....	Col. Hatch.....		"	"	750	" "
Rifle Battalion.....	Lt. Col. Moore.....		For the War.	"	430	" "
Black's Squadron....	Lt. Col. Black.....	Cavalry ..	"	"	362	" "
Palmetto Battalion..	Major White.....		"	"	240	" "
Manigault's Battal'n	Major Manigault..		"	"	260	" "
Lamar's Artillery....	Capt. Lamar.....	Artillery..	"	"	19	" "
Laurens Battalion....	Major James.....		12 months..	"	391	" "
Boyce's Company ....	Capt. Boyce.....		For the War	"	124	" "
Orr's Rifle Regiment	Col. Orr.....		"	"	1,030	" "
Mounted Regiment...	Col. Martin.....		12 months..	"	600	Requir'd by Gen. Ripley.
Pee Dee Legion.....	Gen. Hardee.....	Mixed....	Limited....	"	800	" "
State Cavalry.....	"	Cavalry..	"	"	275	" "
4th Brigade, S. C. M	Gen. DeSaussure..		"	"	2,407	" "
Total.....					27,362	

## ANALYSIS AND SUMMARY.

In Confederate service.....	23,280
In State service, under Confederate orders.....	4,082
For the war .....	7,111
For shorter periods.....	20,251
In service in this State.....	17,642
In service in other States.....	9,720

Under the Act of Assembly, Dec. 7th, 1861, there are in camp, under instruction, some fourteen companies. Accepted and under marching orders for camp, fifty companies. These sixty-four companies are volunteers for twelve months' Confederate service.

## C.

COLUMBIA, April 28, 1862.

*Hon. JAMES CHESNUT, Jr., Chief of Military Department:*

SIR: I submit herewith Exhibit A., showing, as nearly as can be reached from the returns to this office, the number of troops from South Carolina on the 20th of February in the field, for the war and for twelve months, and my estimate of those in the field for the same terms at this date. Exhibits B., C. and D. show the efforts to obtain accurate information; Exhibit E., the number of companies which responded to the call for five thousand men. Large numbers of individuals, volunteers and recruits, responded to that call, which is the explanation of the increased numbers in the second, third and fourth columns of Exhibit A.

I am, sir, with much respect,

Your obedient servant,

WILMOT G. DESAUSSURE,

*Adjutant and Inspector General.*

*Exhibit A. to Adjutant General's Report of the 28th of April, 1862,  
to Chief of Military Department.*

REGIMENTS, BATTALIONS, SQUADRONS AND COMPANIES.				Feb. 20, '62 War.	Estimated. April 28, '62 War.	Feb. 20, '62. 12 months.	Estimated April 28, '62. 12 months.
1st Regiment, S. C. V.,	Hamilton.....			860	900		
2d	"	Kershaw.....			450	841	391
3d	"	Williams.....			400	1,066	666
4th	"	Sloan.....			400	973	573
5th	"	Jenkins.....			800	1,124	324
6th	"	Winder.....			450	813	363
7th	"	Bacon.....			400	803	403
8th	"	Cash.....			400	819	419
9th	"	Blanding.....			400	896	496
1st	"	Hagood.....			600	850	250
Hampton's Legion.....					600	1,100	500
Boykin's Rangers.....				78	78		
Shannon's Company.....				63	100		
Coit's Artillery.....				116	125		
Mauigault's 10th Regiment, S. C. V.....					550	1,126	576
12th Regiment, S. C. V., R. G. M. Dunovant.....				789	1,000		
13th	"	Edwards.....		764	1,100		
Carried forward.....				2,670	8,753	10,411	4,961



*Exhibit A. to Adjutant General's Report of the 28th of April, 1862, to  
Chief Military Department.—Continued.*

REGIMENTS, BATTALIONS, SQUADRONS AND COMPANIES.			Feb. 20, '62. War.	Estimated. April 28, '62 War.	Feb. 20, '62 12 months.	Estimated. April 28, '62 12 months.
Brought forward.....			2,670	8,753	10,411	4,961
14th Regiment, S. C. V., Jones.....			902	1,200		
15th " " DeSaussure.....			813	900		
16th " " Elford.....					713	900
17th " " Means.....					784	800
18th " " Gadberry.....					768	900
19th " " Lythgoe.....					730	900
20th " " Keitt.....					790	800
21st " " Graham.....					698	850
22d " " Abney.....					786	800
23d " " Hatch.....				1,000	750	
24th " " C H. Stevens.....				800	489	
Holcombe Legion, P. F. Stevens.....					1,102	1,200
1st Regiment Artillery, S. C. A., Calhoun.....			620	800		
1st " Infantry, " John Dunovant.....			500	750		
Lucas' Battalion.....			94	150		
Moore's Battalion.....			680	800		
11th Regiment, S. C. V., Heyward.....				450	761	311
Orr's Regiment, Marshall.....			1,030	1,200		
Black's Cavalry, J. L. Black.....			600	700		
Palmetto Battalion, E. B. White.....			240	450		
Manigault's Battalion, E. Manigault.....			260	500		
2d Regiment Artillery, S. C. V., Lamar.....			300	800		
James' Battalion, James.....					560	600
Boyce's Artillery, Boyce.....			124	160		
Coit's Artillery, Coit.....			116	116		
Felder's Cavalry, Felder.....					304	500
Adams' Cavalry, Adams.....					315	500
Nelson's Battalion, Nelson.....			300	350		
Cavalry Companies.....				850	690	
Infantry Companies.....					670	670
McCord's Zouaves.....			100	100		
Elliott's Artillery.....				80		
Chichester's Artillery.....				80		
Gist Guards.....				90		
Beauregard Light Infantry.....				100		
Eutaw Battalion.....				250		
Alston's Artillery.....				80		
Stanley's Artillery.....				80		
McKerall's Company.....				75		
Stafford's ".....				75		
Whitesides' ".....				75		
Gwin's ".....				75		
Wynsmith's ".....				75		
Smith's Battalion.....						600
LaFayette Artillery.....						85
Marion Artillery.....						110
Charleston Battalion.....						500
German Artillery.....						200
Dixie Rangers.....						75
Jefford Rangers.....						75
Carried forward.....			9,349	21,914	21,321	16,337



*Exhibit A. to Adjutant General's Report of the 28th of April, 1862,  
to Chief of Military Department.—Continued.*

REGIMENTS, BATTALIONS, SQUADRONS AND COMPANIES.	Feb. 28, '62. War.	Estimated. April 28, '62. War.	Feb. 20, '62. 12 months.	Estimated. April 28, '62. 12 months.
Brought forward.....	9,349	21,914	21,321	16,337
Ashley Dragoons.....				75
Charleston Light Dragoons.....				75
Rutledge Riflemen (mounted).....		100		
German Hussars .....				75
Easley's Squadron.....				308
Nelson's Squadron.....				340
	9,349	22,064	21,321	17,210

*Exhibit E. to Adjutant General's Report of the 28th of April, 1862,  
to Chief of the Military Department.*

*Companies accepted under the Call for Five Additional Regiments.*

Twenty-Fourth Regiment of South Carolina Volunteers, C. H.  
Stevens, Colonel commanding:

Captains Sigwald, Spears, Appleby, Gooding, Jones,  
Hill, Pearson, Thomas, Hammonds, Tompkins..... 800

Regiment of Artillery, T. G. Lamar, Colonel commanding:

Captain Dickson..... 77

Company F..... 69

“ G..... 79

Second Regiment of Artillery, Colonel Lamar:

Captain F. F. Warley..... 90

“ J. F. Sanders..... 76

“ J. K. Legare..... 92

“ M. B. Stanly..... 100

“ Charles Alston, Jr..... 100

“ T. D. Gwyn..... 79

“ R. L. Crawford..... 76

“ T. P. Whitesides..... 70

“ W. J. McKerall..... 70

“ J. H. Stafford..... 70

Three companies of Moore's Battalion..... 260

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2,108

## D.

DEPARTMENT OF THE MILITARY,  
COLUMBIA, S. C., April 28, 1862.

*To the Governor and Council:*

In obedience to your directions, and in conformity with my duty, I submit to your consideration an abstract of a report made to this Department from the Adjutant and Inspector General, in relation to the forces from this State in Confederate service.

On the 2d day of February last, the Secretary of War addressed a communication to his Excellency Governor Pickens, stating that six per cent. of the entire white population of this State—which is about eighteen thousand—had been determined upon as the quota to be furnished by this State for the war. Of this number he estimated that we had then six thousand in the field, which would leave twelve thousand more to be supplied. This remainder he expected to raise by reenlistments among the twelve months regiments from the State then in service, and by calling for five new regiments. At the date of the communication referred to, he supposed that the State had six thousand troops for the war, and seventeen thousand for twelve months. But in truth, at that time, the rolls in the office of the Adjutant and Inspector General exhibited the fact that we had on the 20th of February—a few days after that date—9,349 troops for the war, and 21,321 for twelve months. For the purpose of meeting the requisition made on the State for its quota of eighteen thousand men for the war—including the five new regiments called for—the Governor and Council adopted a system of conscription. The result of that action has been to accomplish, in less than two months, more than was required or expected. According to the data, information and estimates now before us, we have in the field in Confederate service for the war 22,064 men, and for twelve months 17,210 men, making an aggregate from this State of 39,274.

## APPENDIX TO THE

## RECAPITULATION.

Now in the field for the war.....	22,064	
Quota of the State—under call.....	18,000	
	<hr/>	
Excess over the quota.....		4,064
In service for the war at the time of the President's call.	9,349	
In service now for the war.....	22,064	
	<hr/>	
Increase since the call.....		12,715
Total in service at time of the call.....	30,670	
Total now in service.....	39,274	
	<hr/>	
Total increase.....		8,614

That the rapid increase of our forces in the field is attributable to the resolutions of the 6th of March last, establishing a system of conscription, I suppose no one doubts. I must say that the returns now made are by no means full, and cannot, therefore, be said to be accurate; for, notwithstanding the constant and earnest efforts of Adjutant and Inspector Generals Gist and DeSaussure to procure information from all the regiments, we have not been able, so far, to obtain from the officers anything approaching to complete returns of the new enlistments. Our efforts to that end are still unabated, and we have now reasonable expectation that they will be furnished in a few days. When these returns are received, another and a fuller statement will be made, with as near an approach to accuracy as possible. That statement, I have no doubt, will show a much larger force for the war than is here exhibited.

Respectfully submitted,

JAMES CHESNUT, JR.,

*Chief of the Department of the Military of South Carolina.*

## E.

OFFICE ADJUTANT AND INSPECTOR GENERAL,  
COLUMBIA, August 30, 1862.

TO HON. JAMES CHESNUT, JR., *Chief of Military Department*:

SIR: I have the honor herewith to submit, in obedience to your order, a report exhibiting an approximate estimate of the forces contributed by this State to the Confederate service, with the Regiments, Battalions and Companies in which they are now organized.

The list of organizations will, I think, be found complete, and by reference thereto it will be seen that the State has now in service the following:

*Infantry*—Twenty-eight Regiments, two Legions, eight Battalions, two Companies.

*Artillery*—Two Regiments, one Battalion, eighteen Companies.

*Cavalry*—Two Regiments, five Battalions, seven Companies.

*Total*—Thirty-two Regiments, two Legions, fourteen Battalions, twenty-seven Companies.

It would be more satisfactory if this office had the means for furnishing a statement more in detail, particularly of the present strength of these organizations, and of the losses by disease and other casualties of the service. The regulations of the Confederate service do not require the sending of rolls or stated reports of the condition of the forces to the offices of the States from which they are respectively drawn; and when troops are once received into Confederate service, all official knowledge of them by the State ceases.

By reason of this, very great embarrassment has attended the efforts of this office to keep pace with the organization of our forces, and to procure reliable information as to the number of men actually drawn from our population. The original rolls of Companies, on file, furnish but little satisfactory information, and give no data upon which to estimate the strength of the Companies. They give but the number with which the Companies were first organized—in perhaps all cases the minimum of its strength—whilst the accretions, by recruiting or otherwise, not being reported, are known only as they may be casually ascertained. During the period from the 1st of March to the 1st of July, under the pressure, first of the proposed State conscription, and afterwards of the Confederate conscription, very large additions were made to the then existing organizations, by the voluntary going forward of recruits, very few of whom were reported to this office. In some instances Com-



panies were so increased, that from the excess new Companies were formed, no rolls of which have been reported to this office. The number thus irregularly added to the service did not, it is believed, fall short of 5,000 men. Much confusion, also, resulted from the reorganization in Virginia of the original twelve months Regiments whose terms of service expired in April last. Entire Companies and even Regiments were lost, and new Companies and Regiments formed; in most instances retaining the former names, but the Regiments in all instances composed to a great extent of new Company organizations. The original 9th Regiment was, in this way, wholly lost; and the old 4th was reduced to, and yet remains, a mere Battalion.

To remedy this want of information, and to procure accurate descriptive rolls of all persons then in Confederate service from this State, with details of discharges, deaths and other losses, blank forms were prepared by this office, in obedience to your order, and in April last, were forwarded to the Commandants of Regiments, Battalions and Companies; and with the view to procure a prompt return of the rolls, special agents were appointed to visit the troops on the coast and in Virginia, to impress on Commandants, by a personal appeal, the importance of furnishing the information desired. These efforts, I regret to state, were only partially successful. In some instances the agents found great reluctance to prepare the rolls; in others actual unwillingness, and in a few instances positive refusals to undertake the labor. Out of over four hundred Companies then in service, only about two hundred and fifty furnished the rolls; and of those so furnished, many were so hastily and imperfectly prepared as to give but little satisfactory information. So far, however, as they were carefully and properly prepared, they furnish the only certainly reliable information to be found in this office of the strength and condition of the respective Companies.

The estimates embodied in the accompanying report have been made up from many sources; partly from the April rolls, above referred to; partly from reports obtained from officers in command; partly from returns to the Confederate officer commanding the Department of South Carolina and Georgia; partly from information furnished by individuals; and in a few instances from conjecture. These estimates are intended to represent the highest number of men who, from first to last, have belonged to the respective organizations, not including discharges. In some instances they may be found too high; but generally they are believed to be below the correct number. So far as they are based on the April rolls, they represent the strength of the organizations at the

time those rolls were prepared, say the 1st of May, and do not include the additions since made to the Companies. And in many cases where we have only been able to ascertain the *maximum* strength of a Regiment or Company, it is obviously short as a proper estimate: for, whilst recruits are being daily added, and losses by death or otherwise are daily occurring, the *maximum* is not increased, when, in fact, a continual draft is made from the population of the State. An absolutely correct estimate can only be had by adding, to the present strength of Companies, the number of losses by disease or other casualties of the service, and of discharges by reason of wounds or wasted health. If such an estimate could be prepared, I am fully assured that the number of men contributed by this State to the public defence would be found to exceed *forty-five thousand*.

It is much to be regretted, that a very considerable number from this State have connected themselves with the organizations of other States. In the Districts adjoining North Carolina, very many were induced, by the very liberal bounty there offered, to join Companies organized in that State. And in the April reorganization in Virginia, very many exercised the option given them by the Conscription Act, to go into other arms of service, and connected themselves with Companies of Artillery and Cavalry from other States, chiefly Virginia. These, amounting, it is believed, to several hundred, are wholly lost to the credit of the State.

In obedience to the resolutions of the honorable Governor and Council, the first corps of State Militia Reserves, embracing all males subject to duty between the ages of thirty-five and fifty, have been organized, with a view to active service, in the event that the necessities of the State defence should require it. Of these ten Regiments are already formed and officered, each comprising ten companies; and it is conjectured that the Companies yet remaining to be organized, will yield at least another Regiment. The average strength of these Regiments will be about seven hundred, making an aggregate in the State of near eight thousand effective men of this corps.

The second Corps of Reserves, embracing all males between the ages of fifty and sixty-five, all those between sixteen and eighteen, and all exempts, remain subject to patrol and police duty in their respective Beats, under the command of the officers of the militia, as reorganized in January last, under the Act of the General Assembly. In the present existing scheme, this corps constitutes the regular militia organization of the State. Its strength, there is no present means of

ascertaining, as an enrollment has not been thought of sufficient importance to justify the labor and expense.

I have the honor, sir, to be,

Very truly, yours,

C. D. MELTON,

*Assistant Adjutant and Inspector General.*

*APPROXIMATE ESTIMATE of the strength of the South Carolina Regiments, Battalions and Companies now in Confederate service.*

INFANTRY.

Style of Organization.	Commanders.	No. Men.
1st Reg't S. C. Volunteers .....	Col. Hamilton.....	1,100
1st " " " .....	Glover.....	750
2d " " " .....	Kennedy.....	850
3d " " " .....	Nance.....	1,066
4th Mattison's Battalion.....	Mattison.....	400
5th Reg't S. C. Volunteers.....	Jackson .....	700
6th " " " .....	Bratton .....	700
7th " " " .....	Aiken.....	803
8th " " " .....	Henegan .....	819
10th " " " .....	Manigault.....	1,100
11th " " " .....	Ellis.....	921
12th " " " .....	Barnes.....	1,100
13th " " " .....	Edwards .....	1,250
14th " " " .....	McGowan .....	1,144
15th " " " .....	DeSaussure .....	976
16th " " " .....	McCullough.....	792
17th " " " .....	Means .....	852
18th " " " .....	Gadberry.....	942
19th " " " .....	Lythgoe.....	827
20th " " " .....	Kcitt.....	950
21st " " " .....	Graham.....	848
22d " " " .....	Goodlett.....	873
23d " " " .....	Benbow.....	785
Carried forward.....		20,548

*Approximate Estimate—Continued.*

Style of Organization.	Commanders.	No. Men.
Brought forward.....		20,548
24th Reg't S. C. Volunteers.....	Col. C. H. Stevens.....	1,020
25th " " " .....	Simonton .....	900
1st Rifles .....	Marshall .....	1,500
2d " .....	Moore .....	884
1st Reg't S. C. A. (Regulars).....	Dunoyant.....	700
Hampton Legion .....	Griffin.....	1,100
Holcombe Legion.....	P. F. Stevens.....	1,138
Laurens Battalion.....	Lt Col. James.....	528
Smith's Battalion.....	Smith.....	552
Manigault's Battalion.....	Major Byrd.....	638
Nelson's " .....	Nelson.....	462
Charleston " .....	Lt. Col. Gaillard.....	430
Palmetto Sharp Shooters.....	—————	1,100
Battalion " " .....	Major Smith.....	300
" " " .....	Abney.....	300
Partisan Rifles .....	Capt. Brooks.....	86
Ordnance Guard.....	—————	100
		<hr/> 32,286

## ARTILLERY.

1st Reg't S. C. Artillery.....	Col. Calhoun .....	863
1st " " Volunteers.....	Lamar.....	1,040
Palmetto Batt. Lt. Artillery.....	Lt. Col. White.....	1,059
Macbeth Light Artillery.....	Capt. Boyce .....	161
Beaufort Artillery .....	Elliott.....	97
Marion Artillery .....	Parker.....	100
Washington Artillery .....	Walter.....	134
LaFayette Artillery.....	Kanapaux .....	90
Chesterfield Artillery .....	Coit.....	130
Gist Guard .....	Chichester.....	90
German Artillery, Co. A.....	Werner.....	83
" " " B.....	Melchers .....	72
Carried forward.....		<hr/> 3,919



*Approximate Estimate.—Continued.*

Style of Organization.	Commanders.	No. Men.
Brought forward.....		3,919
Dismounted Dragoons.....	Major Lucas.....	169
Ferguson's Artillery.....	Capt. Ferguson.....	92
Palmetto Guard.....	Buist.....	100
Alston's Artillery.....	Alston.....	95
Matthews Artillery.....	Bonneau.....	100
Ward's Battery.....	Ward.....	100
Garden's Battery.....	Garden.....	100
Stanley's Artillery.....	Stanley.....	98
Gaillard's Artillery.....	Gaillard.....	100
		<hr/> 4,873

## CAVALRY.

1st Regiment Cavalry.....	Col. Black.....	897
1st Battalion ".....	Major Morgan.....	325
2d " ".....	Stokes.....	383
3d " ".....	Easley.....	320
4th " ".....	Emanuel.....	352
5th " ".....	Jeffords.....	391
Colleton Rangers.....	Capt. Campbell.....	85
Calhoun Mounted Men.....	Martin.....	75
St. Peter's Guards.....	Smart.....	88
Howard Cavalry.....	Howard.....	80
Charleston Light Dragoons.....	Rutledge.....	95
Ashley Dragoons.....	G. C. Heyward.....	100
Barnwell Dragoons.....	Lawton.....	110
Rutledge Mounted Riflemen.....	Trenholm.....	90
Savannah River Guard.....	Johnson.....	96
Heyward's Cavalry.....	D. B. Heyward.....	110
German Huzzars.....	Cordes.....	80
Rebel Troop.....	Jenkins.....	85
Santee Rangers, Co. A.....	Pinckney.....	90
Santee Rangers, Co. B.....	Whilden.....	90
Carried forward.....		<hr/> 3,844



*Approximate Estimate—Continued.*

Style of Organization.	Commanders.	No. Men.
Brought forward.....		3,844
Boykin Rangers.....	Capt. Boykin.....	80
Kirkwood Rangers.....	Doby.....	90
Partisan Rangers.....	Col. Aiken .....	700
		<hr/> 4,714

Of the above companies, ten have recently been formed into a regiment, under Col. Colcock, being the 2d Regiment of Cavalry.

## AGGREGATE.

Infantry .....	32,286
Artillery .....	4,873
Cavalry .....	4,714—41,873
To which add Conscripits recently sent forward, say....	1,100
	<hr/> 42,973

## F.

*Condensed view of the Cash transactions of the Quartermaster General's Bureau for the State of South Carolina, from the 1st of January, 1862, to the 30th of June, 1862.*

Dr.			
To balance from 1861.....			\$21,413. 05
Cash from treasury 1st qr., 1862.....	\$143,355	00	
“ “ 2d “ .....	7,500	00—	150,855 00
“ clothing acct. 1st “ .....	35,972	35	
“ “ 2d “ .....	62,915	01—	98,887 36
“ camp equipage, 1st “ .....	45	80	
“ “ 2d “ .....	294	12—	339 92
“ public property sold, such as horses, mules, wagons, &c. 1st quarter....	2,436	00	
“ do. do. 2d “ ....	590	72—	3,026 72
			<u>\$274,522 05</u>

Cr.			
By Disburs'ts on clothing acct., 1st qr. 1862, \$126,472 13			
“ “ 2d “ .....	11,861	35—	\$138,333 48
“ camp equipage, 1st “ .....	52,740	48	
“ “ 2d “ .....	8,611	63—	61,352 11
“ transportation, 1st “ .....	7,562	61	
“ “ 2d “ .....	3,489	25—	11,051 86
“ horses and mules, 1st “ .....	400	00	
“ “ 2d “ .....	6,742	50—	7,142 50
“ forage, 1st “ .....	2,356	89	
“ “ 2d “ .....	659	00—	2,015 89
“ storage and rent, 1st “ .....	256	00	
“ “ 2d “ .....	916	50—	1,172 50
“ incidental, 1st “ .....	3,218	62	
“ “ 2d “ .....	3,482	75—	6,701 37
“ stationery, 1st “ .....	102	12	
“ “ 2d “ .....	103	71—	206 83
“ wood, 1st “ .....	45	50	
“ “ 2d “ .....	905	25—	950 75
“ commutation, 1st “ .....	75	00	
“ “ 2d “ .....	3,845	00—	3,920 00
“ to Capt. Motte Pringle, Q'rmaster, 4th Br'de,			5,855 00
Balance to next account.....			<u>34,819 76</u>
			<u>\$274,522 05</u>

## G.

*Comparative view of Salaries paid to the Quartermaster General and his Assistants, compiled from Exhibits on file in this Department, and condensed into Quarterly Statements, from the 1st of July, 1861, to the 30th of June, 1862.*

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Salaries paid during the quarter ending 30th Sept., 1861,	\$3,651 40
“ “ “ 31st Dec., “	3,126 40
“ “ “ 31st March, 1862,	2,411 40
“ “ “ 30th June, “	1,575 00

## H.

*Leading Articles purchased, received, issued and on hand, Quartermaster General's Bureau, from 1st January to 30th June, 1862.*

(Quantities on hand 1st January, 1862, estimated, as returns do not specify them.)

	Coats.	Over-Coats.	Pants.	Drawers.	Shirts.	Socks (pairs).	Shoes (pairs).	Hats.	Caps.	Blankets.	Knapsacks.	Flavoursnacks.	Canteens.	Tents.	Horses.	Wagons.
Estimated on hand, 1st January, 1862 .....	4736	1420	4452	8698	9377	1842	4235	.....	.....	819	.....	4601	.....	188	23	17
Purchased, manuf'd and received since.....	8265	1460	1977	898	5452	6074	3325	2545	2430	10293	6078	2732	2551	1131	81	23
Total to be accounted for.....	13001	5680	9429	9506	15029	7916	7560	5445	2430	11112	6078	7337	2554	1319	104	40
Issued and sold .....	4830	3172	3219	8669	14528	5400	7500	2371	1765	420	3191	790	1202	657	100	33
On 1st July.....	8171	2508	1219	837	501	2516	60	174	665	7092	2867	6547	1352	662	4	2

*Clothing Destroyed by Fire during the Retreat of the Confederate Army from Manassas.*

155 Over-Coats, at \$12 00.....	\$1,860 00
413 Uniform Coats, at \$5 50 .....	2,271 50
118 Uniform Pants, at \$3 00.....	354 00
288 Felt Hats, at \$2 00.....	576 00
	<hr/>
	\$5,061 50

## I.

*Quantity of Clothing furnished to each non-commissioned officer, musician and private of the Confederate States Army, for each year of the three years' service, showing the cost of each article, cost per year, and cost over allowance of the \$50 commutation money allowed, according to the price of clothing and materials, July, 1862.*

ARTICLES.	No. allowed first year.	COST.	No. allowed 2d year.	COST.	No. allowed 3d year.	COST.	No. allowed for 3 years.	Total cost for the three years.	Remarks.
Caps, @ \$1.25.....	2	\$2 50	1	\$1 25	1	\$1 25	4	\$5 00	
Cap Covers, @ 75c.....	1	75	1	75	1	75	3	2 25	
Coats, @ \$12.....	12	24 00	1	12 00	1	12 00	4	48 00	
Trowsers, @ \$6.....	18	18 00	2	12 00	2	12 00	7	42 00	
Flannel Shirts, @ \$2.....	9	6 00	3	6 00	3	6 00	9	18 00	
Flannel Drawers, @ 1.75	3	5 25	2	3 50	2	3 50	7	12 25	
Bootees, @ \$1.75.....	4	19 00	4	19 00	4	19 00	12	67 00	
Pairs Stockings, @ 50c...	4	2 00	4	2 00	4	2 00	12	6 00	
Leather Stocks, @ 50.....	1	50					1	50	
Great Coat, @ \$15.....	1	15 00					1	15 00	
Blankets, @ \$4.....	1	4 00			1	4 00	2	8 00	
		97 00		56 50		60 50		214 00	
Deduct Commutation.....		50 00		50 00		50 00		150 00	
Loss.....		47 00		6 50		10 50		64 00	Per Man.
Loss per 1,000 men.....		\$47,000 00		\$6,500 00		\$10,500 00		\$64,000 00	

Upon the supposition of 20,000 men in the service, the loss will be:

First year.....	\$940,000 00
Second year.....	130,000 00
Third year.....	210,000 00
Whole loss for the three years .....	\$1,280,000 00

NOTE.—It will be seen that the prices affixed to the articles in the above table are far below the ruling prices at this date, 1st September, 1862.



## J.

*Condensed View of the Cash Transactions of the Commissary General's Bureau for the State of South Carolina, from the 1st of January, 1862, to the 30th of June, 1862.*

## Dr.

To Balance from 1861.....	\$15,266 15
Cash from Treasury, 1st quarter, 1862.....	\$37,000 00
“ “ “ 2d “ “ .....	60,000 00—97,000 00
“ from sales to Confederate Government 1st quarter, 1862.....	25,944 66
“ from sales to Confederate Government 2d quarter, 1862.....	10,079 57—36,024 23
“ from sales to other parties, 1st quarter, 1862 .....	2,022 90
“ from sales to other parties, 2d quarter, 1862 .....	130 60—2,153 50
“ from proceeds of Salt seized at Cheraw by order of Gov. Pickens.....	2,508 56
	<u>\$152,952 44</u>
July 1st, to balance brought down.....	\$20,256 21

## Cr.

By Purchase of cattle to cure into salt beef....	\$14,188 89
“ “ bacon, rice, &c., 1st quarter...\$46,291 51	
“ “ “ “ “ 2d “ ...	54,562 77—100,854 28
Disbursements for collecting rice from exposed regions, freights to the interior, and incidental expenses, 1st quarter.....	7,515 23
Disbursements for collecting rice from exposed regions, freights to the interior, and incidental expenses, 2d quarter.....	10,137 83—17,653 06
Balance carried to next account	20,256 21
	<u>\$152,952 44</u>

## K.

*Inventory of Stores on hand in the Commissary General's Bureau, on the 1st of July, 1862, and the cost value thereof.*

6,800 lbs. Salt Pork, @ 20c.....	\$1,360 00
25,805 " Bacon, @ 32c.....	8,257 60
3,251 " Hams, @ 33½c.....	1,083 66
152,641 " Salt Beef, @ 11c.....	16,790 51
5,505 " Dried Beef, @ 18c.....	990 90
10,000 " Soup Cakes, @ 6c.....	600 00
1,437 bbls. Flour, @ \$11.....	15,807 00
604 lbs. Hard Bread, @ 12c.....	72 48
1,915,003 " Rice, @ 3c.....	57,450 09
21,169 " Sugar, @ 13c.....	2,751 97
785 sacks Salt, @ \$12.....	9,420 00
1,657 gallons Molasses, @ \$1.....	1,657 00
Small stores, not enumerated, say.....	1,000 00
Total cost value.....	\$117,241 21

Market value on the 1st of July, about.....\$250,000 00

The bacon and beef cured by Robert Adger, Esq., in Anderson, amounting to between two and three hundred thousand pounds, is not included in the above inventory, as the accounts are not yet closed.

## I.

*Leading Stores, received, issued, and on hand, Commissary General's Bureau, from 1st January to 30th June, 1862.*

	Fresh Beef. (Pounds.)	Salt Beef. (Pounds.)	Dried Beef. (Pounds.)	Bacon. (Pounds.)	Flour. (Barrels.)	Bread. (Pounds.)	Rice. (Pounds.)	Sugar. (Pounds.)	Coffee. (Pounds.)	Kye. (Pounds.)	Salt. (Sacks.)	Molasses. (Gallons.)	Vinegar. (Gallons.)	Corn Meal. (Pounds.)	Candles. (Pounds.)	Soap. (Pounds.)
On hand 1st January.....	46,320	229,338	5,505	12,094	2,154	2,802	59,198	5,304	105	3,787	1,585	2,264	5	173	4,625	29
Purchased and received....	46,320	229,338	5,505	36,948	1,283	2,802	1,873,961	23,631	105	3,787	100	2,264	149	9,492	1,440	2,462
Total to be accounted for...	46,320	229,338	5,505	49,042	3,437	2,802	1,933,159	28,935	105	3,787	1,685	2,269	322	14,117	1,469	2,462
Sold and issued.....	46,320	76,637	.....	23,237	2,000	2,198	18,156	7,316	105	3,665	900	612	322	14,117	1,119	2,306
On hand 1st July, 1862.....	.....	152,641	5,505	25,805	1,437	601	1,915,003	21,619	.....	122	785	1,657	.....	.....	350	156

*Depots of Rice (Cleaned and Rough).*

Camden.....	494 tierces cleaned.	Florence.....	2,858 bags rough.
Cheraw.....	1,752 "	Dove's.....	1,462 "
Columbia.....	70 "	Darlington.....	2,017 "
		Society Hill.....	1,283 "

All other stores are stored in Columbia, S. C.

NOTE.—The above table does not include the bacon and beef cured in Anderson by Robert Adger, Esq., and now stored there, as the accounts are not yet closed. There are same 250 to 300,000 pounds at that point. Nor does it include 34 barrels prime mess pork on hand.

## M.

*Condensed view of the Cash Transactions of the Paymaster General's Bureau for the State of South Carolina, from the 1st of January, 1862, to the 30th of June, 1862.*

## Dr.

To balance from 1861.....	\$788 89
Receipts from Treasury 1st quarter, 1862..	\$40,000 00
“ “ , 2d “	17,000 00—57,000 00
	<u>\$57,788 89</u>
July 1st, balance brought down.....	\$3,383 66

## Cr.

By payments to Regulars made 1st qr. 1862....	1,628 86
“ “ “ 2d “ ...	9,064 94—10,693 80
“ Volunteers “ 1st “ ...	34,952 34
“ “ “ 2d “ ...	8,759 09—43,711 43
Balance carried to next account.....	3,383 66
	<u>\$57,788 89</u>

## N.

*Condensed view of the Cash Transactions in the Engineer's Bureau for the State of South Carolina, from the 1st of January, 1862, to the 30th of June, 1862.*

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Dr.	
To Cash from Treasury for Pee Dee obstructions.....	\$4,590 76
Less this amount returned to Treasury.....	166 76
	<hr/>
	\$4,424 00
To Cash from Treasury for Reconnoissance Santee River....	97 90
“ “ Survey Mountain passes.....	936 43
	<hr/>
	\$5,458 33
	<hr/>

## Cr.

By expenditures for Pee Dee obstructions .....	4,424 00
“ Reconnoissance Santee River.....	97 90
“ Survey Mountain passes.....	936 43
	<hr/>
	\$5,458 33
	<hr/>



## O.

*Condensed Tabular View of the principal operations of the Ordnance Bureau for the State of South Carolina, from December, 1860, to August, 1862.*

ARMS AND AMMUNITION.	Dec. 1860, to, Dec. 1861.			January 1, 1862, to Aug. 30, 1862.			
	On hand and captured in U. S. Arsenal.	Purchased and received.	Issued or unaccounted for.	On hand January, 1862.	Purchased, Manufactured, or received through Agent to collect arms.	Issued.	On hand August, 1862.
Muskets .....	23,703	*4,850	25,971	12,582	5,198	4,921	2,859
Rifles.....	3,704		3,115	1589	16,738	2,476	14,851
Pistols.....	2,271		2,271		829	677	158
Sabres.....	1,877		1,779	98	2,224	1,730	592
Swords.....	771		534	237	348	8	577
Percussion Caps.....	120,000	1,315,775	1,008,525	427,250	194,520	53,900	568,770
Cannon Caps.....	2,070			10,500	945		11,445
Musket Cartridges.....	67,110	944,656	821,236	160,530	486,713	45,630	601,613
Rifle Cartridges.....	38,000	531,147	444,147	125,000	211,322	25,224	311,098
Powder, (pounds).....	20,400	417,550	373,897	204,055	10,130	36,887	237,296
Heavy Ordnance.....	103	10	100	13	9	20	2
Field Artillery.....	66	14	52	18	31	31	18
Artillery Carriages.....	78	89	145	22	27	31	18
Projectiles (prepared).....	3,174	16,249	16,308	3,115	3,865	650	6,339
Projectiles (unprepared).....	6,230	31,441	26,902	10,769	3,791	4,084	10,476
Grape and Canister (pounds).....	229,500	61,548	252,132	38,916	880	1,316	38,480
Lead.....				3,000	57,779	39,042	21,137
Musket Balls (round).....					50,000		50,000
Musket Balls (conical).....					35,000		35,000
Musket Balls (pounds).....				5,500			5,500
Double-Barreled Guns.....					220	199	21

\* Purchased by order of Governor Gist.

† One 3½ inch Rifle Gun, presented by C. K. Prioleau, of Liverpool; two 3½ inch Rifle Guns, presented by Messrs. Fraser & Co.; one 3½ inch wrought iron Rifle Gun presented by P. C. J. Weston.

‡ Condemned, irreparable, 452.

§ 4,843 pounds old and damaged.

|| 2,535 Enfield, new, purchased in Europe.

P.

*Receipts and Expenditures of the Ordnance Department of the State of South Carolina, from the 1st of January, 1861, to the 25th of January, 1862.*

RECEIPTS.

From the Treasurer of the Lower Division for appropriation of the Legislature.....	\$150,000 00
“ Hon. E. Frost, Secretary of the Treasury.....	120,000 00
“ Hon. W. G. DeSaussure, Secretary of the Treasury.....	226,000 00
“ Col. E. Manigault, am't of his and clerk's salary, which was paid out of the General Fund, and after collected from Treasurer of Lower Division.....	3,250 00
“ Sales of coal taken from U. S.....	2,398 00
	<u>\$501,648 00</u>

EXPENDITURES.

On Cannon acct., purchased.....	5,039 38
Artillery acct., carriages, implements, &c..	71,067 38
Ammunition acct.....	145,258 22
Artillery projectiles, shell, shot, &c.....	105,865 11
Ordnance tools.....	1,589 03
Small arms.....	53,580 38
Equipments for infantry and cavalry comp's	99,831 97
General expenses of Department.....	19,376 93
	<u>501,608 40</u>
Balance of cash on hand, 12th January, 1862.....	<u>\$39 60</u>

SPECIAL FUND.

1861.

Jan'y 9. Donation by Mr. Plowden C. J. Weston, for purchase of “arms of precision”.....	\$5,000 00
Less paid for one wrought iron rifle six-pounder gun in hands of Major E. Manigault, for use of his battalion.....	800 00

1862.

Aug. 1. Balance in hands of Ordnance Officer.....	<u>\$1,200 00</u>
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Q.

*Condensed view of the Cash Transactions of the Ordnance Bureau  
for the State of South Carolina, from the 26th of January, 1862,  
to the 30th of June, 1862.*

## DR.

To Balance from 1861.....	\$39 60
Cash from Treasury, 1st quarter, 1862.....	\$66,726 00
“ “ “ 2d “ “ .....	39,556 00—106,282 00
“ from sales of damaged Powder, .....	160 00
“ “ “ Acids, &c.....	150 50—310 50
“ refunded on Shells purchased from Glaze the 8th of April, 1861, not passing the inspection ordered by Chief of the Military Department..	1,500 00
“ donation from the Marion Fire En- gine Company, Charleston.....	44 44
“ from W. J. Laval, Treasurer Lower Division, to pay salary of Ordnance Officer, 1861.....	1,000 00
	<u>\$109,176 54</u>
July 1st, 1862, to balance from June.....	2,399 94

## CR.

By Artillery and Carriage acct., 1st qr., '62	\$7,733 63
“ “ “ “ 2d “	16,438 13—\$24,171 76
Projectiles “ 1st “	4,798 59
“ “ 2d “	2,457 30—7,255 89
Small Arms “ 1st “	4,754 55
“ “ 2d “	4,460 70—9,215 25
Equipment “ 1st “	29,992 35
“ “ 2d “	8,866 65—38,859 00
Ammunition “ 1st “	10,893 79
“ “ 2d “	10,396 07—21,289 86
General Expense “ 1st “	2,459 21
“ “ “ 2d “	3,525 63—5,984 84
Balance to next account.....	2,399 94
	<u>\$109,176 54</u>

## R.

*Issues of Ordnance and Ordnance Stores to Confederate Government  
from January 1, 1862, to July 1, 1862.*

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12-pounder guns, smooth bore.....	4
12-pounder guns, rifled.....	3
Carriages.....	7
Ammunition chests.....	8
18-pounder guns.....	2
24-pounder guns, rifled.....	3
8-inch Columbiads.....	1
32-pounder guns.....	1
42-pounder guns.....	1
8-inch sea-coast howitzers.....	1
8-inch siege “.....	4
Sling Carte.....	1
12-pounder shot, rifled.....	198
12-pounder shell, rifled.....	36
12-pounder canister.....	127
8-inch sea-coast howitzer, canister.....	38
18-pounder shot.....	25
18-pounder canister.....	25
24-pounder shot, rifled.....	264
9-inch solid shot.....	200
9-inch shell.....	400
6-pounder spherical case.....	275
12-pounder howitzer spherical case.....	125
12-pounder shell.....	150
8-inch shells.....	260
10-inch shells.....	200
Cartridge Bags, 9 inch gun.....	115
12-pounder shot.....	123
Friction tubes.....	2,500
Roman fuses.....	250

## S.

*Issues of Field Guns and Carriages to State Artillery in Confederate service, from January 1 to July 1, 1862.*

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4-pounder guns.....	6
6-pounder guns.....	20
12-pounder howitzers .....	2
Enfield rifle guns.....	3
Ammunition chests.....	10
Gun-carriages .....	31
Caissons .....	19

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## T.

*Statement of Artillery Projectiles issued to the Confederate Government, from January 1 to July 1, 1862.*

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6-pounder shot, fixed.....	70
6-pounder spherical case, fixed.....	285
6-pounder canister, fixed... ..	20
12-pounder howitzer spherical case, fixed.....	135
12-pounder howitzer shell, fixed.....	150
9-inch solid shot.....	200
9-inch shell.....	400
8-inch howitzer canister.....	38
Spherical case shot, unfixed.....	50
24-pounder rifle shot and shell.....	144
8-inch mortar shells .....	269
10-inch mortar shells.....	200

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## U.

*Abstract of issues of Small Arms to Troops from South Carolina, sent into the service of the Confederate Government, from 1st January, 1862, to 1st July, 1865.*

Rifles, Enfield.....	\$19
“ State.....	141
“ per 0’54.....	1,246
Total Rifles.....	2,206
Muskets, Percussion.....	2,321
“ “ model 1842.....	955
“ altered to Percussion.....	1,201
“ Cadet.....	40
“ Minie.....	254
Total Muskets.....	4,771
Carbines.....	170
Cavalry Pistols, Percussion.....	322
“ “ Flint and Steel.....	332
Colt’s Navy Revolvers.....	9
Total Pistols.....	663
Sabres, Cavalry.....	1,714
Swords, Officers’.....	8
Equipments, Infantry.....	6,165
“ Cavalry.....	934
Double Barreled Guns.....	123
Bayonets.....	5,795
“ Sabre.....	1,083
Cartridges, Musket.....	34,690
“ Rifle.....	6,800
“ Revolver.....	834
Percussion Caps.....	13,574

Articles of minor importance not enumerated on the above abstract.

## V.

*Statement of Powder issued from 1st January, 1862, to 1st July, 1862.*

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ISSUES TO THE CONFEDERATE GOVERNMENT.

Cannon, pounds of .....	7,435
Musket, " " .....	300
Rifle, " " .....	16,400
Blasting, " " .....	325
Total, pounds of.....	<u>24,460</u>

ISSUES FOR FIELD AND SMALL-ARM AMMUNITION.

Cannon, pounds of.....	2,602
Musket, " " .....	4,530
Rifle, " " .....	5,025
Blasting, " " .....	270
Total, pounds of.....	<u>12,427</u>

POWDER ON HAND FIRST JULY, 1862.

Cannon, pounds of.....	7,371
Musket, " " .....	8,570
Rifle, " " .....	11,350
Blasting, " " .....	900
Mealed, " " .....	1,262
Pickens District, pounds of.....	3,000
Old, mixed and damaged, pounds of.....	4,843
Total, pounds of.....	<u>37,296</u>

## W.

*Condensed view of the Cash Transactions of the Saltpetre Plantation  
for the State of South Carolina from 10th April to 1st September,  
1862.*

1862.	Dr.	
April, To Cash from Treasury .....	\$4,304	58
July, " " " " .....	3,700	52
August, " " " " .....	1,483	00
		<u>\$9,488 10</u>

## Cr.

Sept. 1st, By Disbursement, Building Account...	\$3,316	29
" " " Horses and Mules Account...	2,522	00
" " " Forage " .....	276	45
" " " Harness and Tools " .....	483	78
" " " Wagon and Cart " .....	415	00
" " " Materials " .....	584	95
" " " Labor " .....	625	54
" " " Weekly Allowance " .....	501	58
" " " Salary " .....	375	00
		<u>9,160 59</u>
Balance on hand the 1st of September, 1862. ....	\$387	<u>51</u>

## X.

## ABSTRACT OF DISBURSEMENTS

BY THE DEPARTMENT OF THE MILITARY OF SOUTH CAROLINA FROM  
JANUARY 27, 1862, TO AUGUST 14, 1862.

*Payments in pursuance of Ordinances of the Convention, Acts and Resolutions of the Legislature, and by order of his Excellency Governor Pickens, prior to the organization of the Executive Council.*

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Payments to Quartermaster General.....	\$169,047 56
“ Commissary General.....	37,000 00
“ Paymaster General.....	66,058 39
“ for Hospitals.....	15,482 50
“ Ordnance purposes.....	68,326 00
“ Repairing arms.....	6,516 92
“ Arsenal purposes.....	3,200 00
“ Recruiting service.....	17,000 00
“ Railroad bridge guards.....	5,083 91
“ A. L. Dearing (Military service).....	190 00
“ Traveling expenses (Agents).....	85 65
“ Arresting soldiers.....	45 75
“ Salary of Clerk.....	233 33
“ Gunboat commission.....	300,000 00
	<hr/>
	\$688,270 01

Deduct :

Balance in Quartermaster's hands.....\$83,390 53  
Balance in Surgeon General's hands..... 1,236 88— 84,627 41

Total disbursements, as above.....\$603,642 60

*Payments in pursuance of orders by the Executive Council.*

Payments to Quartermaster General.....	7,500 00.
“ Commissary General.....	60,000 00
“ Paymaster General.....	4,941 61
“ for Reconnoissances .....	1,034 33
“ Obstructions, Pee Dee.....	4,424 00
“ Ordnance purposes.....	60,215 81
“ Exchange for arms and drugs.....	79,561 04
“ Freight on “ “ .....	11,194 14
“ Old arms.....	5,077 97
“ 75 new Enfield rifles.....	3,000 00
“ Freight on old arms.....	122 65
“ Lead, saltpetre and sulphur.....	2,481 52
“ Socks .....	72 90
“ Enrolling Militia.....	83 10
“ Saltpetre plantation.....	9,488 10
“ Traveling expenses (Agents).....	65 75
“ House and lot in Columbia*.....	4,500 00
	<hr/>
	\$253,462 92

## Deduct :

Balance in Commissary's hands.....	\$20,256 21
“ Paymaster's “ .....	3,383 66
“ Ordnance officers.....	5,242 06—28,881 93
	<hr/>
Total disbursements by order of Executive Council...	<u>\$224,580 99</u>

## RECAPITULATION.

Total disbursements under Ordinances of the Convention, Acts and Resolutions of the Legislature, and by order of Governor Pickens, prior to the organization of the Executive Council.....	\$603,642 60
Total disbursements under the engagements of the Execu- tive Council.....	<u>224,580 99</u>
	<hr/>
Total. ....	<u>\$828,223 59</u>

\*A large brick building, used for Commissary's store-house.



## REPORT OF THE CHIEF OF THE DEPARTMENT OF JUSTICE AND POLICE.

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### PART I.—ON THE POWERS OF THE CONVENTION.

To his Excellency, GOVERNOR PICKENS,

*Presiding over the Executive Council of South Carolina :*

SIR : In compliance with your requirement, that I should report to the Governor and Council the proceedings of the Department of Justice and Police, I respectfully report that, though the acts of my Department proper, as well as the matters which have from time to time been assigned to me, have in almost every instance, been the subject of previous consultation in the Council, and therefore I have but little of information to communicate, I acknowledge the propriety of the call. It is right that these proceedings should be formally spread upon the record.

The "Rules" established for my Department, adopted on the 17th January, prescribed it as my first duty "to construe the Ordinances of the several sessions of the Convention, and all Acts of the General Assembly, in relation to the duties and powers of the Executive Authority of the State." This, of course, makes me peculiarly responsible for the *competency* of "the Governor and Council, acting together," under the Ordinance of the Convention, to perform such acts as have been undertaken ; for I have in no case entered a formal protest against any proceeding.

It is proper, then, that I should preface my report with some exposition of the principles on which I have construed the powers conferred upon the *Executive Authority*, to be exercised by the Governor and Executive Council, "*acting conjointly.*"

First, then, as to

#### THE POWERS OF THE CONVENTION.

Did this CONVENTION have power, for certain purposes, and

during certain exigencies, to create a *new form* of EXECUTIVE AUTHORITY for the State, and to confer on such Authority *new powers*, not hitherto vested in that Department? I answer to this, unquestionably, yes.

In the States Rights School of 1832 and '34 it was (with but one prominent exception) the received opinion that a CONVENTION, called in South Carolina, under the provisions of the Constitution, was, for every political and legal purpose, the PEOPLE. It was considered as a means, provided by the Constitution itself, for *invoking the action of the ultimate SOVEREIGNTY of the State*. This SOVEREIGNTY, admitted to be in the PEOPLE in their "*aggregate and politic capacity*," can only be exercised, practically, through a *Convention*, and a CONVENTION became thus to be, theoretically, considered as the PEOPLE themselves. Hence the form of ordaining their decrees adopted by the Conventions of 1832, of 1852 and 1860, to wit: "*WE, the PEOPLE of South Carolina, in Convention assembled, do ordain and declare.*"

I am aware that in 1834, in the celebrated legal argument on the Oath of Allegiance, although *the advocates* of the States Rights School all maintained this doctrine, yet Judge HARPER gave the weight of his high authority to a view somewhat different. He maintained that a Convention, *though sovereign, absolute and illimitable*, for every purpose *within the range of objects for which they were assembled*, was, beyond these purposes, neither the people, nor did it represent the people. A great majority of States Rights men, held, however, the opinion expressed in one of the reports of the day, which I myself had the honor to submit, an extract from which I will now insert (at an interval of twenty-eight years), as containing my *present opinion*.

"When this profound jurist (Judge Harper) says that a Convention is limited by the purposes for which it was called, we admit that *morally*, it is so limited, and that a delegate who but proposes a measure *for a purpose* not contemplated by the people when he was elected, is guilty of *moral treason*. But when Judge Harper assumes that the Judiciary, or any other constituted authority, has a right to inquire whether a measure adopted in Convention was or was not adopted in conformity with the intentions of the people, he ascribes to the Judiciary a right which we cannot admit that they possess. Is it not obvious that this gives the judges a practical control over a Convention of the people? As in the case before us" (the Oath of Allegiance) "two judges decide that the people did *not* intend what the Convention believed, the Legislature believed, and what a great majority of

the people themselves still believe, they *did* intend—and the will of the people is set at naught, and an Act of the Convention effectually nullified.”

Judge Harper happily defines Sovereignty to be “that power which ‘controlling all other constituted authorities, is itself not subject to ‘the control of any.’ He considers Sovereignty “as abiding in the “people of South Carolina.”

He says, again, that this “is not that imaginary Sovereignty of the “people which has been supposed to exist even in a despotic monarchy.”

“‘The Constitution,’ continues he, ‘has provided in what manner “the people shall be appealed to, viz: in a Convention called by two-thirds of both branches of the Legislature.’ Again, *they* (the People “in Convention) ‘may abrogate any Act of the Government, and *all* “constituted authorities are bound to respect and *obey* their determination.’ ‘They’ (the People in Convention) ‘are responsible to opinion, “they are bound by good faith, they may be resisted by force, or subdued by superior power, but their acts are not subject to the legal “control of any constituted authority.’” This we conceive to be sound Republican doctrine. But how the learned judge can reconcile with this the right which he ascribes to the Judiciary, to decide whether a power exercised by this Convention has or has not been delegated by the people, we cannot perceive. We defy any one to point out a tittle of distinction, practical or in principle, between the control which Judge Harper would thus give to the Judiciary over a *Convention*, and that which it is admitted they have over the ordinary *Legislature*. They have no right, in regard to the *Legislature*, to do more than decide whether or not that body keeps within the pale of its authority—whether a power exercised by them has or has not been delegated to them by the people—and it is this, precisely, which Judge Harper claims for them in regard to a *Convention*. The people appear in their sovereign capacity, *only as assembled in Convention*—when so assembled, they are *sovereign* for EVERY PURPOSE, or, *practically*, they can be so for NONE. Grant to the Judiciary the right to question their acts, and you give them the power to limit and control. *In construction of law*, a CONVENTION is the PEOPLE, and its *every act*, as far as the judges have any concern with it, *the Act of the People*.”

“To subject the acknowledged will of a Convention to the control of any other authority, is to deprive the people altogether of the means of



expressing a *Sovereign* purpose, that is, a purpose which cannot, by any form of law, be disputed."

The report proceeds further, as follows:

"Sovereignty can correctly be predicated only of that power in the State which, possessing an ultimate control over all other constituted authorities, is itself subject to the control of none.

"Allegiance is due only to the Sovereign power, and is that paramount political obligation which binds the individual in a State to acknowledge and preserve unimpaired its Sovereignty.

"It is clearly distinguishable from the duty of *obedience* to delegated authority. It is, indeed, the source from which emanates the obligation of obedience to any other constituted authority than the Sovereign.

"Sovereignty delegates a portion of its power; Allegiance renders obedience to that power a duty.

"Sovereignty, from its definition, is necessarily single and indivisible, and Allegiance must be equally so.

"In South Carolina, entire, unimpaired Sovereignty bides in the PEOPLE of the State, and a citizen of South Carolina owes entire and unimpaired Allegiance to the PEOPLE of South Carolina, so long as he continues a citizen thereof. They, and they alone, have imposed upon him the duty of obedience to the Constitution of the United States. They can release him from the duty. They can transfer the duty. It exists by their fiat, and they alone are its fit interpreters."

"Thus far," says the report, "we speak the recorded opinions of South Carolina herself. Is the principle less fixed that a *Convention of the People is not subject to the legal control of any constituted authority?*"

Such, it was understood, were, in that day, the doctrines of Calhoun and McDuffie, of Hayne, Turnbull and Hamilton, of Colcock, Earle, Butler, Elmore, Player; of all, indeed, of the States Rights School. I mention the dead only, the living may speak for themselves. Indeed, State Rights, State Remedies, State Sovereignty, Allegiance to the State, would all be unmeaning phrases but for the acknowledged supremacy of a Convention of the People. It is the corner-stone of the edifice.

But whether the view contained in the "*Report*" or that of Judge HARPER be true, is immaterial in the present inquiry. A Convention, according to both theories, is SOVEREIGN, and, therefore, *above all constituted authorities*, WHEN ACTING WITHIN THE SPHERE INDICATED BY THE LEGISLATURE IN THE ACT WHICH ASSEMBLES THEM.

What then were the purposes for which the Convention was called together by the Legislature, to assemble on the 17th day of December, 1860? And does the creation of the EXECUTIVE COUNCIL come within the scope of those purposes?

First, what were the circumstances of the call? The telegraph had announced the election of Lincoln, and the Legislature determined at once to invoke the highest power known to our institutions—a *Convention of the People of the State*. Not as a subordinate ministerial agent, to enroll the decrees of the Legislature, but “for the purpose of *taking into consideration the dangers incident to the position of the State in the Federal Union established by the Constitution of the United States, and the measures which may be necessary and proper for providing against the same, and thereupon to take care that the Commonwealth of South Carolina shall suffer no detriment.*” A disruption of the ties which had hitherto bound us to our sister States was one thing contemplated. But the ultimate decision was left to the Convention, as the Sovereign Authority. It was, then, within the purposes of this Convention to *abrogate the Constitution of the United States*. South Carolina, for a time, at least, *might stand alone*, and it must have been within the purposes of the Convention to *modify the State Constitution*. A new alliance was contemplated with other States, and it was within the purposes of the Convention to *ratify a Provisional and Permanent Constitution of the new Confederacy*.

These high powers have not been questioned, yet they are but *inferences* from the *general powers*. A WAR was certainly within the contemplation of some. Although secession was claimed as a right, not conflicting with any obligation under the Constitution of the United States, and, therefore, not revolutionary, it was apprehended that our claim to self-government might, like that of our forefathers of 1776, have to be vindicated by the *sword*, and that, practically, provision must be made *for the conduct of a REVOLUTION of BLOOD*. The Legislature declare, accordingly, that the Convention shall consider our “DANGERS”—all the “dangers” growing out of our position, including, I presume, the dangers of the WAR, which *might* be the consequence of secession, and “the *measures necessary and proper for providing against the same.*” Have the apprehended “DANGERS” ceased? Are there no *further* “*measures necessary and proper for providing against the same*”? The Ordinance of the Convention for “strengthening the Executive Department during the exigencies of the present War,” was manifestly *intended* as a “*measure*” FOR THIS.



VERY PURPOSE. But, as if to make assurance doubly sure, the Legislature declare, further, that the Convention shall "*THEREUPON take care that the Commonwealth of South Carolina shall suffer no detriment.*"

Now, conceding that the terms of the call of the Convention constitute the only "*limitation*" on the powers of a CONVENTION, as held by Judge HARPER, can human language be contrived suggesting broader and more absolute powers than the above? And, "*THEREUPON to take care that the Commonwealth of South Carolina shall suffer no detriment*" Is this the language of LIMITATION of power? It is applied to a body representing the SOVEREIGNTY of the State—a body in all respects similar to that which gave being to our State Constitution—a body by whose fiat our Legislature, our Governor, and our Judiciary, have their existence. Is it not in effect a declaration, *in terms*, that the Convention to be called should have NO limitation on its powers?

It has been said that the "dangers" apprehended were *in the Union*, and the measures were only such as should provide against these. This is special pleading. The "dangers" were such as were incident to the "position of the State," then, of course, "*in the Union,*" but which the Convention was specially intended to take out of the Union, and the "measures" were meant to provide against the "dangers" which might grow out of that position. Surely, the dangers which ensued have not yet ceased.

It is contended that secession was the measure adopted, and that this relieved us from all dangers "*in the Union.*"

But the Convention is enjoined "*thereupon*" (that is, after secession) "*to take care that the Commonwealth of South Carolina shall suffer no detriment.*" Detriment from what? I answer, the "*measures*" taken; which were, Secession and the formation of the Southern Confederacy. "*Thereupon*" WAR was made, and *war still continues*. Does war work no "*detriment?*" If it does, then it is the duty of the Convention to shield, as far as may be, the Commonwealth of South Carolina from such detriment.

The question as to the extent of the powers of the Convention of 1832 had been the subject of controversy. Dr. Cooper, in his compilation of the Statutes, had pronounced it still "*an open question,*" as to *that* Convention; and the Legislature, as if to provide against any possibility of cavil *on this occasion*, so solemn and momentous, chose, in declaring the purposes of the *present* Convention, to translate the Latin phrase by which the SENATE OF ROME HAD FOR CENTURIES

CONVEYED DICTATORIAL POWER ON HER CONSULS, "DARENT OPERAM CONSULES, NE QUID RESPUBLICA DETRIMENTI CAPERET," was the language of the famous decree which conferred on Cicero and his compeer, for the suppression of Cataline's conspiracy, the power known as "*Ultimum*," or "*Extremum*." A power which, Sallust tells us "often" "it had been the custom" to confer, "IN ATROCI NEGOTIO," "in a dangerous emergency," as the translator has it. The translator says, "by it" (this decree) "the Republic was said to be ENTRUSTED TO THE CONSULS."

The phrase, originally selected for its aptness in conveying absolute and illimitable power, had become fixed in its interpretation, by its long use by the greatest nation of antiquity; and in *this language*, with its construction thus established throughout the civilized world, the LEGISLATURE thought proper to express the extent of the purposes to which the Convention were invited to address themselves.

Unless the Legislature said one thing, while they meant another, they committed to this august body, during the exigencies of the time, the fortunes of the Republic; with power to act directly or through agencies—with the power to make and unmake Constitutions, provisional or permanent; and to create governments, general or partial—temporary, or until a new Convention shall order otherwise. In addition to the force of the language used, the fact that the Act, as first introduced, should have fixed *two years* as the period of duration for the Convention, indicates that something more than the Act of Secession and the adoption of Constitutions was intended. No one proposed a shorter duration than *two years*; and this time, it was thought, *might not* give all the latitude which was requisite, and *it was stricken out*.

Surely, "*two years*" was a longer period than would have been suggested if the only business contemplated had been the Act of Secession and the adoption of a new Constitution. In my judgment, the duration was intended to be commensurate with the necessities of the occasion which called them together, whatever that period might be. Our independence achieved and acknowledged, and peace restored, the Convention will then, but not until then, be *functus officio*. To protract its existence beyond this period, would be that breach of "good faith" which would justify that resort to "force," which is the only remedy for usurpation in the SOVEREIGN. On the other hand, the Convention, in my opinion, would be derelict to their duty if they abandon the helm until the ship is safely in port.

Such was the call under which the voters of the State elected the members of the Convention.

However the fact may since have passed from the memories of some, the people, *at that time*, realized that the body about to be assembled would be charged with duties more grave, critical and responsible than any which had ever hitherto devolved upon any constituted authority in this State. The circumstances under which the Convention was assembled—the terms of the Act under which the call was made—the received opinions of the majority of the people of the State as to the extent of the powers *inherent* in such a body, were sufficient to apprise the most dull that suffrage was being exercised on the most important occasion of their lives.

Accordingly, the people called forth their wisest and best men. There was no constitutional disqualification for a seat in the Convention—no abridgment of the people's unbiassed choice. Judges, Chancellors, public officers of all kinds, clergymen, all were eligible. The result was that the Convention, in the aggregate, has never been surpassed, in this or any other country, for intelligence, patriotism and moral worth.

Most of the members were either men drawn from voluntary retirement, or those whose career and position in life were so far determined that the ordinary temptations of ambition were absent. A less self-seeking and more earnest body of citizens never assembled.

Such was the Convention, in theory and in fact, which passed the Ordinance under consideration.

There are two other errors in regard to limitations on Conventions, which need notice, though they would seem to destroy each other. It is contended by some that a Convention can neither legislate or perform any administrative act; and to sustain this view it is claimed that it has been the practice of Conventions to abstain from both. This is one position. Those who take this position deny that the Convention can appropriate money or draw from the Treasury. This is all gratuitous assumption in point of principle, and erroneous in point of fact. Was it an act of usurpation, when the Convention, at its first session, ordered three regiments to be raised—two of regulars, by enlistment, and one of volunteers, commanded by Col. Gregg? Still more palpable, then, was the usurpation when they appropriated three hundred thousand dollars for building a gunboat. The usurpation of the Convention began, according to this theory, as soon as the Act of Secession was ratified, has continued ever since, and has not been confined to those



who favored the creation of the Executive Council. It is, in general, on grounds of expediency, wise that Conventions should abstain from all *ordinary* legislation, or exercise of *ordinary* executive power, where the Legislature and Governor can be at once called into action. But so far is it from being true that Conventions have on principle withheld from *all* action of this kind, that I venture the assertion that the Conventions throughout the now Confederate States all more or less took, for a time, a share of the management of affairs into their own hands.

Certainly, the Convention of Alabama, the proceedings of which I have before me, passed, immediately after an Ordinance of Secession, one "for the Military Defence of the State," another to "reorganize the Militia," with very many others of like character. The power which can *create* Governors and Legislatures may, in *emergencies*, perform the functions of either.

The other most extraordinary position, in direct conflict with the last, is the application of the law maxim to a Convention—*non potest delegatus delegare*—that is, that a Convention, exercising itself delegated authority, cannot delegate to others. The first position assumes that all government *must* be exercised *through delegated authority*, and the second, that it can *only* be exercised *directly*, and *cannot* be lawfully exercised *by delegated authority*.

The ordinary and most appropriate sphere in which a Convention *usually acts*, except in "*atroci negotio*"—dangerous emergencies—is in the creation of governments, limited by constitutions prescribed by the Convention—that is, in delegating portions of their own powers; but a Convention may, in its discretion, proceed to exercise itself any power which it has authority to delegate.

Again: the assumption that to give validity to any action of a Convention intended to *alter* or *suspend* any part of the *Constitution of the State*, the ordinance must EXPRESS that a *repeal*, *alteration* or *amendment is intended*, is gratuitous, and without reason. Where, I would ask, is any such principle laid down?

Like the LEGISLATURE, the CONVENTION may repeal or alter, by *implication*. The *last act* of either body is that to be looked to as the *exposition of its will*, and as constituting the LAW, and everything conflicting is necessarily *repealed*, *suspended* or *modified* into accordance with the *will last expressed*. In point of fact, it was well understood by the Convention that this Ordinance was a *suspension*, for the time being, of *some* of the provisions of the Constitution, and it was so in-

tended. I am not aware that, within the Convention, there was any one who questioned *the power* of that body to pass the Ordinance.

I hold, then, that the Convention had the right, during the exigencies of the war, to add to the powers of the Executive by giving control of some matters which, under the Constitution, are committed to the Legislature, and to make the Executive, for some purposes, consist of five persons instead of one. In other words I hold that the ORDINANCE creating the Council emanates from an authority as high and competent as that creating the CONSTITUTION, and that being the LATEST *expression of the will of this Sovereign Body*, it is, during its existence, *paramount to the Constitution*.

If this be so, we are to look to the Ordinance alone as the charter of our rights and powers.

The views upon the construction of the Ordinance I will submit to-morrow, as part second of my report.

Respectfully, your obedient servant,

I. W. HAYNE.



## PART II.—ON THE POWERS OF THE GOVERNOR AND EXECUTIVE COUNCIL.

To his Excellency GOVERNOR PICKENS,

*Presiding over the Executive Council of South Carolina :*

I propose now to proceed to consider

THE POWERS OF THE GOVERNOR AND EXECUTIVE COUNCIL, ACTING TOGETHER UNDER THE ORDINANCE OF THE CONVENTION.

First, take the title : It is an Ordinance “for strengthening the Executive Department during the exigencies of the present war.

The powers of the Executive are increased, which could hardly be without taking from some other Department, and these new powers have reference to the exigencies of the war.

The powers conferred on the Governor and Executive Council, “acting together,” are, first, to declare *martial law*, when, and where, and with such limitation, as the Governor and Council might think the exigency of public affairs required. This power, like Aaron's rod, might have been made to swallow all the rest. Martial law is despotism. It substitutes the will of the ruler for all other law, to the extent that martial law is declared. Martial law declared over the whole State, and its extent (that is, the subjects over which it should take control) defined, every power afterwards specified in the Ordinance might have been exercised. This great first power having been clearly conferred, has been to me a guide in determining the general intention of the Convention, and thereby construing all that follows. There is a power to arrest and detain disloyal and disaffected persons, whose being at large is deemed dangerous to the public safety ; and to order and enforce such disposition and appropriation of private property for public uses as the public good requires. There is the power to make and cause to be executed all orders, regulations and arrangements, as they shall from time to time find expedient, in regard to the military, and for maintaining such efficient police as shall by them be thought necessary. The power to appoint agents, to draw money from the treasury, to make nominations and appointments to military office, such as the Governor had hitherto

done; to fill accidental vacancies in civil appointments until the Legislature meets—these powers, except filling accidental vacancies in office, all relate to the “*exigencies of the present war* ;” and except the appointments to military offices, are new powers, not before possessed by the Executive; and, in express terms, are to END with the close of the war, and *disbandment of our troops*. (See Appendix, A.) During the war, and for purposes connected with its prosecution, they are very large.

Among the first measures in assertion of the extraordinary powers conferred, was the proposition contemplating the *seizure of silver plate* for the use of the State, introduced by your Excellency. The power, it appeared to me, to act on this subject was clearly delegated under the right “to order and enforce (subject to the owner’s right to receive due compensation from the State) such disposition of private property, or appropriation thereof for public uses as the public good shall appear to them to require.” The Council never felt committed on the policy of acting finally on the matter, but voted merely for measures to ascertain the amount, reserving the right to act according to circumstances hereafter.

The resolution, introduced likewise by your Excellency, for forcing forward the manufacture of salt, was authorized under the power to make “regulations and arrangements” for the *support* of such portion of the population as might be called into service. Salt was an article of prime necessity, and there was danger that it could not be procured at all when wanted, unless something was done, as your resolution expressed it, “to force forward” the manufacture. Under the same power, I have supposed that the Governor and Council were authorized to purchase, and distribute at cost, among the families of troops in service, cotton cards, and to sell at cost such surplus salt as might be found in the Commissary department.

Your Excellency introduced, on the same day, various resolutions, these two being a part of the series. The remainder of the series were referred, and some of them, in a modified form, were afterwards adopted. None of them were objected to as *being beyond the competency of the Governor and Council*, though they propose, I think, the largest powers which we have ever been called on to exercise.

I insert a copy of the resolutions, although not adopted, as illustrating the views entertained as to the *extent of our authority*.

“*Resolved*, That the one-half of every beat company in the State, to

be determined by lot in each company, be ordered immediately to Camp Lightwood Knot, near Columbia, and there to be organized into companies, battalions and regiments. All officers to be appointed by this Council.

*Resolved*, That one thousand tents be ordered for this encampment of a reserved State force, and that to aid in carrying out this organization, the Chief of the War Department be authorized, in conjunction with the Adjutant General, to order into immediate service all the extra aids recently appointed in every District, to reorganize and take a census of the militia of the State.

*Resolved*, That the Chief of the War Department be authorized to appoint immediately two competent persons to take charge of the two powder mills in the upper part of this State, and to take for the State all powder they may have on hand, together with all material, at proper valuation, and that any additional force be employed to put both mills in full operation for the State; and that all material suited for making powder that can be procured, be immediately obtained, in such manner as the Chief of the Military Department may direct.

*Resolved*, That two competent persons be immediately appointed to control the Iron Works in York and Spartanburg, if necessary, and to use all their resources, with any additional labor required, to cast fifty cannon, twenty of which shall be twelve and six-pounders, suited for field service; ten twenty-four-pounders, ten thirty-two-pounders, and ten forty-two-pounders, and to have them mounted and ready for service as soon as possible.

*Resolved*, That all gunsmiths and artizans in brass and iron be collected, and employed in such foundries and workshops as may be designated, for making and repairing all small arms that can be made; and to execute the above resolutions, the Chief of the War Department, in consultation with the Adjutant General, is authorized to employ and use such agents as he may think proper.

*Resolved*, That one-half of all the cattle belonging to every person in the State shall be immediately taken, at a fair valuation, for the State, and receipts for the same be given, obligating the State for the amount, to draw six per cent. interest sixty days after date, and that such as are not fit or needed now to be killed, the owner of the same shall keep and fatten up, for proper compensation, until needed.

*Resolved*, That one-half of all the flour now in the State, and one-half of all the wheat, be immediately taken, on proper valuation, for the State, and receipts for the same given, as in the above resolution,



and that the Chief of Justice and Police be authorized to carry out these resolutions, in such manner as he may think best for the State.

"*Resolved*, That all the troops now in the State, in actual Confederate service, for twelve months, be immediately called on to reenlist for the war, but not to be moved out of the State except by orders from this Council—this condition to be of force at the end of their present term of enlistment, and that the Chief of the Military, in conjunction with the Adjutant General, be authorized to carry this out, in such manner as he may think best for the State.

"*Resolved*, That our Senators and Representatives in Congress be requested to urge immediately the adoption of measures necessary to establish a great Reserve Camp at or near Atlanta, Georgia, of at least one hundred thousand men, each State to furnish its proper quota, and all officers to be appointed by the President, with the consent of the Senate."

These resolutions contained the first proposition to bring a portion of the population of the State into service *by compulsion*, and for assuming on our part *the appointment of officers, both Field and Company*.

The right to do this I never doubted, under the power "to make and cause to be executed all such orders, regulations and arrangements as they (the Governor and Council) shall from time to time find expedient for bringing into service, organizing and supporting the whole or any part of the population of the State, to be employed in the public service." This grant of power, I think, was intended to give to the Council *full control* over the *organization* of any forces to be raised. But if there could be a doubt on this point, there is another Ordinance, passed by the same Convention, styled "An Ordinance in relation to a portion of the Militia," which is too explicit for controversy. It declares, in section first: "*That no part of the Militia law shall stand in the way of the Governor and Council to organize and call into service any portion of the Militia of the State, as may seem most expedient.*" From the same source I derive the authority of the Governor and Council to make all the orders, regulations and arrangements in regard to the military, which were afterwards adopted, whether in contravention or not of Acts of the Legislature.

Next in point of time came the regulations in regard to the distillation and sale of spirits.

Your Excellency must remember the representations from the upper country as to the overwhelming evil which was to follow the unpar-

alleled investments made, and about to be made, in the business of distillation. The high price of whiskey had induced such numbers to seek this new road to wealth, that a *famine*, it was thought, threatened the whole State. Money has been called the "sinews of war," but with us *breadstuffs* are preëminently so. I thought the evil came within the scope of our powers. By declaring martial law in regard to this particular subject-matter, it could certainly have been reached. But being unwilling to startle the community by an unnecessary declaration of martial law in prohibition of distillation from grain, I recommended the exercise of the power, as an incident to the power "to make and cause to be executed all such *orders, regulations and arrangements*, as they shall from time to time find expedient, for bringing into service, organizing and *supporting* the whole, or any portion of the population of the State to be employed in the public service, and also for maintaining such efficient *police* as shall by them be thought necessary." Your Excellency, with, I think, every member of the body, yielded ready acquiescence, and I was instructed to draw the resolutions. I looked to the end proposed, and considered that the accustomed agencies would best effect the object, and offered the resolution that it should be declared "a misdemeanor" to distill grain, and the distillery should be deemed "a nuisance," subject to abatement. This "regulation" and "arrangement" was thought the most expedient, and was accordingly adopted, and made an "order," by, I think, a unanimous vote. Our right to make a regulation in prohibition of distillation is too clear for controversy. If there is error, it can only be in the manner of enforcement, which is less prompt and summary than is usual in Executive orders. Thus far, however, it has worked well. So, again, as to the sale of spirits under circumstances to affect our troops. The evil had become so great, that there seemed to be a universal outcry—murders, brawls, fatal accidents among our troops, particularly while passing on the railroads, had become of frequent occurrence. The scenes exhibited were shocking to decency. The disposition to interfere was unanimous with the Council, and your Excellency warmly approved. I believed we had the power in this, as in the case of distillation, and proposed similar resolutions in regard to sales of liquor within reach of our troops on the line of railroads. In aid of these efforts, railroad companies were appealed to, to refuse the transportation of spirits, and they promptly responded. Never, in my experience, has the making of regulations so nearly approached to the attainment of the objects proposed, with the use of so little machinery in the enforcement. The



cheerful, prompt and efficient coöperation of the Railroad Directors merit our thanks and the approbation of the community.

Under the power "*to make and cause to be executed* REGULATIONS for an *efficient police*," I ventured to propose some amendments to a legislative Act which, by its *title* and *provisions*, was *purely* a POLICE REGULATION for the invaded districts. As to military regulations, I have shown that we had EXPRESS *authority* to "DISREGARD" *legislative enactments*. The regulation of the police being in the broadest terms committed to us, I deemed that we had the same power there. These have been termed "*legislative acts*." Regulations as to the military and police, have, for the time, necessarily, the *effect* of *laws*. Many orders and regulations from the Treasury Department, or the War Department, from the Adjutant General's office, are very like legislation, in form and substance. "Orders, regulations, and arrangements," so far as the subject-matter to which they refer is concerned, must infringe upon, or rather must occupy, a common ground with "legislation" on the same subject. If the SOVEREIGN has delegated the right to *make these regulations*, the authority is rightfully exercised, call them by what name you will. According to the views I have presented, it rests alone with the Sovereign power—a Convention of the People, which metes out the powers of other constituted authorities—to determine what shall be the powers of the Executive Department, and what shall be the powers of the department called the Legislature. These matters, all of which met with the sanction of your Excellency, had, as I conceive, been committed to the *Executive Department*, as constituted by the Convention.

The next matter, which was, as you know, for some time under the anxious consideration of the Governor and Executive Council, was the prohibition of the exportation of cotton, except under certain restrictions, unless expressly sanctioned by the Confederate authorities. This measure, perhaps the most doubtful adopted, was approved by your Excellency and the whole Council, and did not originate with me. My reasons for approving have already been placed on the record, and a copy of the letter stating these reasons, by order of the Council was sent to Mr. Memminger, Secretary of the Confederate Treasury, and published in the papers. I append a copy of this letter to this report. (See Appendix, B.)

The establishment of a foundry for cannon, cannon equipage, balls and shell, and for the repair of small arms, with a nucleus for a small-arms manufactory in future, was, in express terms, within our powers.

So as to the nitre plantation, now in satisfactory progress. So in regard to the importation of arms and medicines.

In the matter of the gunboat, the Governor and Council acted under the direct authority of the Convention, by whom the specific appropriation was made.

The surveys of the Santee and Pee Dee, and mountain passes in this State, and North Carolina, and Tennessee, though they cost a small amount of money, were, as I conceive, within the general powers committed to us, as well as the action since taken, as the consequence of those surveys.

The two acts which have excited most dissatisfaction are the call for troops for the protection of Georgetown and the country above, after the abandonment of the Confederate forces, and the action of the Governor and Council with regard to a supply of negro labor in and near Charleston for building fortifications and harbor obstructions. Yet neither of these acts, surely, needs any defence on the score of *competency* on the part of the Governor and Council. The first was, in effect, to bring into service a portion of the population of the State, to be employed in public service, as we believed, of the most important character. Your Excellency's proposition on this subject was as follows:

APRIL 12, 1862.

*Resolved*, That all the militia of Georgetown, Marion, Horry, and Williamsburg, be immediately ordered out and organized into companies, battalions and regiments, with the best arms and equipments that can for the present be procured, and that one thousand tents be ordered for them.

*Resolved*, That they elect their own company officers, and that this Council appoint field officers for this organization.

*Resolved*, That they be rendezvoused near Georgetown, to protect property, and to endeavor to defend the country to the best of their ability, as it is intimated that all our troops in Confederate service will be ordered from that section of the State, and thus open Georgetown to the enemy.

*Resolved*, That the Quartermaster and Commissary Generals be immediately instructed to provide proper transportation and supplies for said troops.

*Resolved*, That orders be issued by the Chief of the Military Department to stop any further supplies being furnished to the Confeder-

ate troops from the State Commissary Department, and also that the same orders be issued to the State Quartermaster General.

“*Resolved*, That the Chief of the Military Department be charged with the execution of the foregoing resolutions.”

The second, to wit: the impressment of negroes, was a disposition and appropriation (temporarily) of private property for public use. The last I shall touch on in another part of my report.

It has been objected that offices have been created. What offices? Col. Jones was employed to audit some difficult accounts, and to act for General Harlee in his absence on public business, at an expense of just one hundred and eleven dollars and eleven cents. Major Melton was made an assistant to the Adjutant General, the Council paying only his very moderate bill of expenses in Columbia. Mr. Arthur was made Secretary of our body without any compensation from the Treasury. Lieutenant Follin was given a military rank, without any addition to the salary given him by the Legislature as Clerk to the Adjutant General. An assistant to the Adjutant General was given for Charleston, at his request, with the rank and pay of captain. A Superintendent of the cannon foundry and manufactory of arms was absolutely necessary for such an establishment, and so as to the saltpetre plantation. Something was paid to some of the surveyors of the Santee, the Pee Dee, and the mountains, and temporary commissions given, though in two of these instances the valuable services of Mr. Niernsee were rendered gratuitously. Mr. James Tupper was made Central Secretary of the Commissions for the removal of negroes from the seaboard, and women and children from Charleston, at the request of a majority of the Commissions; a very laborious office, in which he generously served without pay. The same gentleman has been recently appointed to examine and audit the accounts of this State with the Confederate Government, going back to the 20th of December, 1860, and he serves for the mere amount of expense incurred in the performance of duty. The Doctors LeConte have rendered valuable service in examining salt springs and lead mines, but they, too, have worked gratuitously. The Chief of the Military has a Clerk. I have a Clerk, at the rate of five hundred dollars per annum, and for a time had two Policemen in permanent employment, at fifty dollars per month. This comprises, I think, everything, and the Ordinance expressly gives the Governor and Council the right “*to constitute and appoint SUCH AGENTS as shall be*



*necessary for the MORE EFFICIENT execution of the powers conferred to them."*

I am not aware that any of these appointments have been objected to by your Excellency.

I shall proceed, in part three, to report upon the action taken on those matters which have come more particularly under my individual control.

Respectfully, your ob't servant,

I. W. HAYNE.

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## APPENDIX.

### A.

#### AN ORDINANCE

FOR STRENGTHENING THE EXECUTIVE DEPARTMENT DURING THE  
EXIGENCIES OF THE PRESENT WAR.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,* as follows:

SEC. 1. Until the present war between the Confederate States of America and the United States shall have been terminated, and the forces raised in this State for the prosecution thereof shall have been disbanded, or until it shall be otherwise ordained by the People in Convention, the Governor shall be assisted, as is hereinafter directed, in the discharge of the duties imposed, and in the exercise of the powers conferred upon him under the Constitution and laws of this State, or the Ordinances of this Convention, by a Council, to be called the Executive Council, which shall consist of the Lieutenant Governor and three other citizens of the State, to be chosen by this Convention by a ballot, a majority of the votes cast at such election being necessary to a choice.

SEC. 2. The Governor and the Executive Council, acting together, shall have power to declare martial law to such extent, in such places, and at such times, as shall be required by the exigency of public affairs; to arrest and detain all disloyal or disaffected persons, whose being at

large they shall deem inconsistent with the public safety ; to order and enforce (subject to the owner's right to receive due compensation from the State) such disposition of private property or appropriation thereof for public uses as the public good shall appear to them to require ; to make, and cause to be executed, all such orders, regulations and arrangements, as they shall, from time to time, find expedient for bringing into service, organizing and supporting, the whole, or any part, of the population of the State, to be employed in the public service, and, also, for maintaining such efficient police as shall, by them, be thought necessary ; to make, procure or employ arms, munitions of war, and whatever else may be required for the defence of the State ; to constitute and appoint such agents as shall be necessary for the more efficient execution of the powers hereby confided to them ; for these purposes to draw money from the public Treasury, the Treasurers being bound to pay their draft from any money in the Treasury ; to make all such nominations and appointments to military offices as the Governor has heretofore been authorized to make ; to fill all offices and appointments where there is any vacancy for default of action by the Legislature or other appointing power, or for default of any provision by law of the mode of appointment, and to fill, until the next meeting of the People in Convention, any vacancy which may occur in the Council by reason of the death, resignation or removal from the State, of any one of the three members thereof chosen by the Convention.

SEC. 3. In the discharge of all his duties and the exercise of all his powers, not hereinbefore enumerated, the Governor is authorized to consult the Council, and to require, if need be, its advice in writing.

SEC. 4. The Governor and Executive Council may, at their discretion, arrange some or all of the business to be done by them, into different departments, assign each department to one or more members of the Council, and make rules for the management of a department or other business. Acts done by either of the departments, in conformity to rules or orders established by the Governor and Council, shall be valid, but shall be always subject to the control of the Governor and Council.

SEC. 5. The Governor shall have access to the books and papers of every department, and the opportunity of being, at all times, fully informed of the condition of its business ; reports to him shall be made by the heads of departments, when he may require them ; and he shall communicate to this Convention and to the General Assembly,



at every meeting of either body, full information concerning the transactions of the Council and the condition of every department.

SEC. 6. If there should be a vacancy in the office of Governor, the Lieutenant Governor, having succeeded to that office, shall discharge the duties herein required of the Governor; and the President of the Senate, having succeeded to the office of Lieutenant Governor, shall become a member of the Executive Council.

SEC. 7. The Governor (or if he be necessarily absent, the Lieutenant Governor,) and any two of the members of Council elected by this Convention, shall be sufficient to constitute a quorum; and the concurrence of a majority of all present, there being a quorum, shall be required for the validity of any action in which the Governor and Council are required to act conjointly. If by vacancies, the Council should be reduced to two or only one, the Governor for the time being, with those two or that one, shall be sufficient to fill the vacancies in the places of members chosen by this Convention, until the next meeting of the Convention.

SEC. 8. The Governor and Council shall keep a record of their proceedings, and for this purpose the Special Private Secretary of the Governor shall be their Secretary without additional pay. This record shall especially show the reasons for every arrest made by their authority. Any one of them shall have the privilege of filing and thus preserving as part of the record, his dissent from their action in any matter. On the first day of each meeting of the People in Convention, the record of all the proceedings of the Governor and Council had prior thereto, shall be laid before such Convention, and the said proceedings shall be subject to review, and to repeal, or such modification by the Convention as to it shall seem proper.

SEC. 9. The first meeting of the Governor and the Executive Council shall be had within seven days after the adjournment of the present sitting of this Convention, at a time and place to be fixed by the Governor, of which he shall give notice to each member. Afterwards their meetings shall be regulated by their own orders and adjournments.

SEC. 10. Each member of the Council shall receive an annual salary of two thousand dollars, payable quarterly out of the Treasury upon the draft or order of the Governor.

SEC. 11. The President of the Convention, if in his opinion the public exigencies shall require, or if he shall be requested in writing so to do by any twenty members of the Convention, shall by notice under

his hand duly published, assemble this Convention, without delay, at a time and place to be by him fixed, and he shall appoint a Committee of five members of the Convention, a majority of whom, or the survivors or survivor of such majority, shall, in case of the death, resignation or disqualification of the President, have the like authority and be under the like obligation to assemble the Convention and appoint a time and place for its meeting; but neither the President of the Convention nor any member of the said Committee shall be a member of the Executive Council.

[Certified copy.]

B. F. ARTHUR, *Clerk of Convention.*

## B.

### EXECUTIVE COUNCIL CHAMBER, COLUMBIA, S. C., April 4, 1862.

The following preamble and resolutions, adopted by the Governor and Council, have been ordered to be published :

\* \* \* \* \*

Whereas, information has reached the Governor and Council that sundry small vessels have from time to time carried from the port of Charleston cargoes of cotton, which the Governor and Council have reason to believe have found their way to the enemy, and which certainly have not brought back return cargoes of arms, munitions or army supplies : Therefore,

*Resolved*, That during the continuance of the present blockade the exportation of cotton from any port in South Carolina is hereby prohibited, unless by the express permission of the Confederate or State authorities.

*Resolved*, That an agent, resident in the city of Charleston, be appointed, who shall be authorized to grant permission for the exportation of cotton on the terms hereinafter prescribed, to wit : Affidavit shall be made that no part of the cotton exported shall, with the consent or connivance of the exporter, find its way into the possession of the enemy ; and bond, with good surety, shall be given that the full amount of the net proceeds of the sale of said cotton shall be brought back into the

Confederate States in arms, munitions of war, or army supplies, unless prevented by successful interposition of the enemy.

[Extract from the Minutes of April 4.]

By order of the Governor and Council.

F. J. MOSES, Jr., *Secretary*.

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COLUMBIA, April 11, 1862.

The resolutions of the 4th of April, after lying over for two days, and the subject-matter undergoing discussion for several days previously, were unanimously adopted, the policy being approved by the Governor and every separate member of the Executive Council. We believed that we were but attempting, as far as it was in the power of the State authorities to do so, to carry out a settled policy, sanctioned by nine-tenths of the people of the Confederate States. We have been of opinion that the exportation of cotton, at all, was conceded to be an evil, so long as the blockade was tolerated by neutral powers, but that our necessities were such as to make the *importation of "arms, munitions and army supplies,"* and perhaps some other articles, an object so important that such importation more than *counterbalanced the evil* of a limited exportation of cotton. We desired, without in any degree interfering with the Confederate Government, to make the exportation and importation correlative. To effect this, we prohibit exportation, without *express permission* of the authorities of either one or the other of the Governments. The failure to prohibit by the Confederate Government is not an express permission. The custom-house clearance we have not considered as an express permission, unless the Government should *declare that it is so intended*. If it should so declare, we are foiled in our efforts, that is all. But if it does *not* so declare, we propose to prevent the exportation, unless by a special permission, according to the circumstances of each case, from the one authority or the other, or by a permission through an agent on the general terms specified in the second resolution.

Now, this can surely bring about no conflict between the *Governments*. As to the citizens claiming rights as secured by existing laws, that, I admit, is a different question. That is a question we supposed would be made; but unless the Confederate Government interferes in their behalf, we do not doubt either our power or the propriety of its exercise.



Some months ago, you must remember, that Mr. Trenholm proposed to ship cotton, and had a vessel partly loaded for the purpose. Public opinion was, at that time, so general and decided in opposition to such exportation, that Mr. Trenholm, when appealed to, yielded to its force. He desisted for the time, and took the cotton from his vessel. I shall not now enter into the argument to show the grounds upon which this overwhelming popular sentiment rested. I expressed my views pretty fully through the papers at that time. Suffice it that, in the opinion of the Council, this sentiment is well founded. We believe the exportation of cotton, in any other than certain exceptional cases, to be injurious to the public interests. We are charged with high powers for protecting the public safety, and promoting the public welfare in the exigencies growing out of the present war. Among these powers are these: "to declare martial law; to arrest disloyal or disaffected persons, whose liberty we deem inconsistent with the public safety; to make such *disposition of private property, or appropriation thereof*, for public uses, as we consider that the public good requires." We are further charged with "procuring arms, munitions of war, and whatever else may be required for the defence of the State." Now, cotton about to be exported is "private property," about, as we believe, to be appropriated to *mischievous uses*; have we not the power to "dispose of" it in another way? If, in our opinion, it is needed "to procure arms, munitions," and other things "required for the defence of the State," have we not the power so to appropriate it? If we have the power to seize, dispose of and appropriate the cotton for such purposes, can it be usurpation to declare that the *owner* shall so appropriate it, if he exports it at all? The mere paper declaration is *brutum fulmen* unless enforced. If called upon to enforce the declaration, then begins the exercise of real power. Of course this has been considered, and when we seize the cotton and vessel, and *appropriate them ourselves to procure arms*, by sending them ourselves to Europe, we will do no more than exercise a power clearly delegated.

This argument applies to the powers of the Governor and Council, under the Ordinance. As to the power of the State, does not the right of *eminent domain* give to a State the absolute right to appropriate all private property to public uses, subject only to the claim for compensation; more especially in times of war and public peril?

The simple resolution is no more than a Governor's proclamation. It may be bad taste to order what cannot be enforced, but as I have before said, it is only when *enforcement* is attempted that any substan-

tial usurpation can exist. The *right to enforce*, in the way we propose, is, in my judgment, clearly in the *State*, and as clearly delegated by the State to the *Governor and Council*. I incline to think that any interference with the exercise of this right, by the Confederate Government, would be usurpation on their part. *But we do not propose to raise any question with that Government*. When that Government *orders or asks*, or even *expressly permits* cotton to go out, we not only do not attempt to enforce prohibition, but we *declare beforehand, our assent*.

I have written very hastily, but the subject I have considered.

If Mr. W. F. Colcock be in Charleston, please show him this letter, and ask him if he will accept the agency. He was appointed Agent simultaneously with the adoption of the resolution, and a copy of the resolution sent to him.

I am yours, truly,

I. W. HAYNE.

To C. R. MILES, Esq., District Attorney C. S.



PART III.—ON THE SPECIAL ACTION OF THE DEPARTMENT OF JUSTICE AND POLICE.

*To his Excellency* GOVERNOR PICKENS,

*Presiding over the Executive Council of South Carolina :*

I proceed now to report upon those matters acted upon belonging especially to the Department of Justice and Police, or committed to the head of that Department.

First, as to the correspondence and conferences with the Commissions appointed by the Convention to take charge of the removal of negroes from the invaded Districts, and of women and children from Charleston.

These Commissions, appointed by the Convention, and charged with discretionary powers, are independent of the Governor and Council, and were approached only in the way of suggestion, and for the purpose of obtaining information. On this subject, I have already reported, in special report No. 1, which I append to the present. (See Appendix, A.)

These Commissions will report, I presume, directly to the Convention.

I have, as the head of the Department of Justice and Police, held correspondence with the Provost Marshals presiding over the Police Courts established in the Seaboard Districts, under an Act of the Legislature, entitled "An Act to provide more efficient Police Regulations for the Districts on the Seaboard." This Act, providing Police Regulations for the invaded Districts, is that to which I alluded as having been altered in some particulars, by order of the Governor and Council. The alterations do no more than carry out what appeared to be the intention of the Legislature, except that extending the provisions to Charleston. Before the new Court was organized, martial law was declared in the city, and the Mayor declining to act as Provost Marshal, no steps have been taken to put it into operation. Undoubtedly, the amendments were "Police Regulations," intended to make "more efficient" the "regulations" already existing.

These Police Courts have, I think, for the most part, worked well, and have had a wholesome influence.

The enforcement of the regulations prohibiting distillation of grain, and the sale of spirituous liquors in certain places, has been committed to me. In the matter of distillation my information is that the inhibition has, to a great extent, executed itself. Instead of distillation increasing to the fearful extent which was threatened, it has been less than was ever known before. Whether any prosecutions are in progress, I do not know. Hearing of some violations in the District of Pickens, I appointed a Special Police Agent, to go to that District and ascertain the facts. Several names were furnished him, but as no affidavits accompanied he made but one arrest. This was an individual whom he caught in the act of distillation. He was brought before me, as the head of Police, and placed in jail until I should determine what proceedings should be taken. After investigation, I discharged him without prosecution, on his promise to give bond, with surety, that he would not further violate the regulations of the Governor and Council on this subject. Another Agent was subsequently sent to Union District, who caught a man there almost in the act of distillation, and who confessed that he had been so employed. The Agent made affidavit of the fact, and the Sheriff, under my orders, arrested the distiller, and delivered him to the Agent, to be brought before me, and lodged in jail, in Columbia. Some delay was created in this case, by the employment of counsel, but he, too, was, after investigation, discharged without prosecution, on his giving bond not to violate further the regulations of the Governor and Council.

An Agent in Pickens has more recently made as many as six arrests, but, as he informs me, on warrants issued by a Magistrate, on affidavit made that the parties were engaged in distillation. I have instructed him that, upon giving good bond, and paying the cost and charges of Magistrates and Police Agent, they should be discharged without prosecution, unless otherwise directed by the Solicitor of the Circuit.

In all cases, the Police Agent is instructed to bring away the still of the party offending, to be used in the cannon foundry. In one instance, upon affidavit of the distillation of certain distilleries, the stills were seized without arrest of the parties.

For the sale of liquor on the line of the railroads, I have had occasion to have but three persons brought before me, all of whom acknowledged their guilt, and were glad to be relieved on giving bond and paying expenses. Several in Columbia, upon being warned, have volunteered the bond, and no actual arrest has taken place. In three instances, bar-rooms have been closed, and the key taken by the

Policeman, but afterwards restored, upon giving bond. I have not considered any harsher action necessary, inasmuch as the evil originally complained of—drunkenness of troops on railroad cars—has, to a great extent, disappeared, and public bar-rooms at the termini of railroads and at railroad stations, have been effectually suppressed.

It will be observed that these arrests and temporary detentions, *enforcing regulations of police*, are such as the head of every municipal corporation makes daily. So far, they have been used to secure preliminary examination, as initiatory to an investigation of the violation of Police regulations. These arrests are incident to the power “to make and enforce” the “Regulations” themselves, and are in no wise connected with the substantive power “to arrest and detain disloyal and disaffected persons, whose being at large was deemed dangerous.” This latter leaves the party arrested without claim to bail or mainprize, and subject to imprisonment, as long as the Governor and Council might deem necessary to the public safety.

I am pleased to state that no occasion has occurred requiring the exercise of this high power—the arrest and detention of disloyal and disaffected persons. The first case presented was that of some man in York District, who, upon affidavit made of disloyal language, had been arrested and carried before Judge Withers. The Judge turned the matter over to the Governor and Council, stating that there were circumstances inducing him to doubt the sanity of the party. By order of the Governor and Council, a Commission was instructed to examine into this issue. The physicians appointed on the Commission reported the man *insane*, and he was treated accordingly. Very many affidavits have been sent us, and still more frequently letters charging disloyalty, but we have in no case been convinced that the party charged “being at large, was inconsistent with the public safety.” One man was sent to me in Charleston, under arrest from General Evans, charged with disloyalty. I committed him to jail, but the charge not being pressed, and knowing something myself of the party, and believing that there was some misapprehension, I some days afterwards discharged him.

The passport system, introduced at the instance of your Excellency, was committed to me. A passport was required of all persons coming into or going out of Columbia. To execute this, I employed two policemen, at fifty dollars per month, to attend to this business, and remain subject at other times to my order. With the coöperation and assistance of the Railroad Agents the system worked with some degree of efficiency, but it was found that, without incurring much greater ex-



pense, the surveillance could not be made complete, and the necessity not appearing urgent, the resolution was suspended.

Upon the matter of the supply of negro labor for the defence of Charleston, partially committed to me, the question has been so delicate and full of difficulty, that I have not ventured to act without consultation with yourself and the Council. The Council found the system of impressment of negroes already inaugurated by a resolution of the Legislature when they came into office. Complaints were already loud and frequent. The first efforts of the Council were directed to putting a limit on the existing power. Your Excellency, as well, I believe, as every member of the Council, preferred that the forced labor should be taken from that portion of the State where it was least available to the owners and to the community, and could be best spared. They confined the impressment to the city and the adjacent invaded Districts. The Confederate Generals loudly complained, and a Commission, appointed by ourselves, reported that it was impracticable to get labor enough there. Gen. Ripley declared, in plain terms, that with a supply of negro labor Charleston could be made *safe*, but that without this labor he would not feel himself responsible for consequences. I myself, at this point, was willing to do what we have recently ordered, that is, open the whole State, and equalize as far as possible the burthen. Your Excellency and the other members of the Council, hoping that each call would be the last, preferred still to confine impressment within as narrow limits as possible. Thus, until the adoption, at your instance, I believe, of Col. Chesnut's report, and the system there recommended, impressment had been confined to Georgetown, Charleston, Colleton, Beaufort, Williamsburg, Clarendon, Orangeburg and Barnwell. The number of negroes furnished from this region I have not been able to ascertain, but, altogether, it must be more than is now called for from the Districts hitherto exempt.

Nothing that has or can be said on the subject of hardships and mischiefs growing out of such requisitions, has escaped the consideration of your Excellency and the Council. It has appeared to us, however, under the circumstances, a *necessity*, and we have met it.

The same necessity which justifies the conscription of the white man, justifies the impressment of the negro. As I have said, the power to impress is clearly given under the authority to order and enforce the disposition and appropriation of private property to public use; the only question which has arisen, was on the propriety of its exercise.

It is proper to state, in this connection, that although the Governor

and Council are responsible for the extent of the authority given to the Confederate Generals, in the earlier stages, the requisitions themselves, as well as the mode and manner of enforcement, was committed to them. The calls were so sudden, and the emergency represented as so pressing, that, considering the occasion as temporary only, it was left to those who best understood the necessity, and who alone had the practical means to enforce obedience, to raise the labor required. Afterwards an agent was appointed, to act under the directions of the General—but though instructions were given to equalize as far as possible the burthen in the region designated, still, where parties neglected or refused to respond to the requisition, the *enforcement* was, from necessity, committed to the Confederate General. We had not at command either troops or other means to compel compliance.

On such a subject we, of course, have received many memorials and communications, to which we have respectfully replied, through some member of the body. One memorial, signed by the greatest number of citizens, and by gentlemen of the highest consideration, was, before we had time to act upon it, published in the papers. In reply to this, we published a report from Professor Holmes.

I have before adverted to the resolution introduced by your Excellency, on the subject of the manufacture of salt. It is as follows :

“ *Resolved*, That fifty thousand dollars be set aside to encourage and force forward the manufacture of salt, and that the Chief of Justice and Police be authorized to execute this in such manner as he may think best for the State.”

Though the whole subject was thus committed to me, the practical exercise was so far removed from my past pursuits, and so little in the line of any natural gifts which I might suppose myself to possess, that I invariably applied to the Council for advice. The very extraordinary price to which, soon after, salt advanced, seemed in itself as well calculated “to force forward” its manufacture as anything within the power of the Council. Some men, however, who desired to engage in the manufacture, were without the means, and it was deemed expedient to advance the money—to be paid for in salt. All seemed to be checked in some degree by the fear of loss by capture or destruction by the enemy, and the Council agreed to assume that risk, on certain conditions.

At a time when Charleston was greatly threatened, and after the



Confederate troops had abandoned Georgetown, the coast in Colleton and Beaufort being already, to a great extent, occupied by the enemy, Horry appeared to be the only region open for salt operations. Gen. Harlee, being well acquainted with the people and the localities, undertook, at the request of the Governor and Council, to go personally and make contracts, and appoint an agent to represent the State. So far as *that region* of the State is concerned, I am only charged with superintending the contracts thus made. A tabular statement will present what has been done. (See Appendix, B.)

In addition to what there appears, I will add that Professor John LeConte, at my request, visited a portion of the country where it was supposed that salt wells might be obtained. His report was unfavorable, and the estimate of Mr. Welton, the Superintendent of the Artesian Well in Charleston, as to the cost of an experiment, being very high, it was not thought expedient to enter upon the enterprise.

Due inquiry has been made at the salt works in Virginia, as to the possibility of making some arrangement for a supply of the wants of the State, but the information so far is unfavorable.

I was charged with the execution of a resolution, adopted March 1st, to wit:

*“Resolved, That the sum of twenty-five thousand dollars be loaned to the Charleston and Savannah Railroad Company, upon the condition that any future indebtedness of the State to the Company, for transporting troops, or carrying provisions, or any other purpose, shall be considered a payment by the Company of a part of the said loan, and that the cars or other property purchased with the money loaned as above, shall be mortgaged to the State.”*

This was adopted at a time when the region of country through which this railroad passed was considered in imminent peril, and the removal of negroes, provisions and other property was deemed of the utmost importance. The road, it was represented, could do a much larger business but for an insufficiency of cars, and of switches and turn-outs.

I insert the report of the President of the road upon this subject, but recently received:

" PRESIDENT'S OFFICE, CHARLESTON AND SAVANNAH R. R.,  
CHARLESTON, August 16, 1862.

" HON. I. W. HAYNE, *Chief Dep't Justice and Police, Columbia, S. C. :*

" DEAR SIR: On the 22d March last I had the honor to report to you the result of my effort to purchase twenty (20) cars, under a resolution of the Council (March 1st). After a thorough inquiry, I could only obtain the number authorized with great difficulty here. Roads everywhere refused to listen to proposals for the sale of any portion of their rolling stock.

" The price agreed upon was \$12,250 (twelve thousand two hundred and fifty dollars), but in consequence of a difficulty in delivering the cars, I have not yet called for the appropriation. I expect to do so, however, in a few days.

" Under the resolution above referred to, we were also authorized to construct additional turn-outs, for the purpose of aiding the removal of provisions and other property from the line. The work, so far as we felt warranted in proceeding, has been done. And I beg to enclose you statements of its cost in full detail. The amount, \$8,262 03, you will please cause to be remitted at early convenience. I take the liberty to add that it would not be easy to estimate the importance to the public of the aid thus furnished by the Council.

" With great respect,

(Signed)

W. J. MAGRATH."

The amount advanced will, I have no doubt, be made good, ultimately, to the State.

About the same time the attention of the Governor and Council was called to the advantages which would accrue from uniting the Charleston and Savannah Railroad with the South Carolina and North-Eastern Railroads, and more particularly the completion of a bridge allowing rolling stock of the Charleston and Savannah Railroad to cross the Ashley River. Generals Lee, Pemberton and Ripley expressed the greatest interest in the work, and the two latter pronounced it a military necessity. Time has only served to magnify the importance of the enterprise. The rolling stock of the Charleston and Savannah Railroad must alone be worth at this time (that is, if money can be made a measure at all of that which, all important in itself, cannot be supplied elsewhere,) at least a half million of dollars. If that road should get even into temporary possession of the enemy, the rolling stock must inevitably be lost. But the connection proposed is of the utmost im-

portance. After a great deal of negotiation, and the failure of many efforts on the part of the Governor and Council, the following resolution was adopted, to wit:

*Resolved*, That the Chief of the Department of Justice and Police be authorized to take all necessary measures to have the connection completed between the Charleston and Savannah Railroad and the South Carolina and North-Eastern Railroads: *Provided*, in his judgment, it can be effected for anything within the sum of thirty-five thousand dollars, General Pemberton having pronounced the work a military necessity."

Upon the report of competent engineers, I concluded that the work might be accomplished for the thirty-five thousand dollars, and accordingly appointed a Commission, to consist of Messrs. W. J. Magrath, President of the Charleston and Savannah Railroad Company; Alfred Ravenel, President of the North-Eastern Railroad Company; and H. T. Peake, Superintendent of the South Carolina Railroad, to execute the work. I have recently received from Mr. Magrath the letter appended, together with the report of the Engineer, which I likewise append:

"PRESIDENT'S OFFICE, CHARLESTON AND SAVANNAH R. R.,  
CHARLESTON, August 16, 1862.

"HON. I. W. HAYNE, *Chief Department Justice and Police, Columbia*:

"DEAR SIR: I have the honor to submit for your information, the accompanying report of B. D. Hasell, Esq., Vice President of the Charleston and Savannah Railroad, on the progress and present condition of the Ashley River bridge.

"When, in May last, I undertook, at your request, in connection with Messrs. Ravenel and Peake, to arrange for the execution of this work, I immediately placed it entirely in charge of Mr. Hasell, whose large experience and ability as an engineer would, I felt sure, accomplish all that could reasonably be looked for.

"It is hardly necessary that I should add anything in confirmation of the Engineer's statements of the obstacles he has had to encounter, and which have greatly retarded the work. It is well known to you, and to all, how difficult just now it is to forward, with energy and rapidity, enterprises of any magnitude, and this work has been peculiarly embarrassed by the necessities of the Confederate authorities for

the very material, machinery and labor indispensable to its speedy completion.

"I am gratified, however, in being able to state that so far, in this month, the progress of the work is much more satisfactory than previously. We are all animated by a most earnest desire to bring it to as early and successful conclusion as possible, and will unite all our energies for the purpose.

"With great respect,

(Signed)

W. J. MAGRATH, *Chairman.*"

"PRESIDENT'S OFFICE, CHARLESTON AND SAVANNAH R. R.,  
CHARLESTON, August 11, 1862.

"W. J. MAGRATH, ESQ., *Agent of the State of South Carolina:*

"DEAR SIR: Up to this date, the piling for sixty-eight piers of the Ashley River bridge have been driven, fifty-four piers have been capped, and three hundred lineal feet of longitudinal braces have been put on the caps. The original estimate calls for one hundred and fifty-two piers of the main bridge, and, therefore, 46-100, or nearly one-half of the piling, is finished. None of the corbels or stringers have been put on the bridge, but the timber is mostly on the ground. The value of the work done, and materials furnished, may be estimated in round numbers at ten thousand five hundred dollars.

"The slow progress of the work is mainly attributable to the difficulty in procuring hands and labor, and also additional pile-drivers.

"The contractor had, at one time, two pile-drivers engaged on the bridge, but was compelled to give up one to be used by the Government on harbor defences.

"With the present difficulty in procuring labor, tools and materials, I doubt if the contractor will be able to finish the bridge much before the time when we may expect the enemy to renew his demonstrations against us in the fall.

"Very respectfully, yours,

(Signed)

BENTLEY D. HASELL, *Vice President.*"

I believe I have touched upon everything appertaining to my Department, or specially committed to me. With regard to the provisions of section number eight of the Ordinance of the Convention for strengthening the Executive, to which my attention was particularly called by your Excellency, to wit: That "the record shall especially show the reasons for every arrest made by their authority," I have



referred this provision to arrests made under the second great substantive power granted, to wit: the power "to arrest and detain all disloyal and disaffected persons whose being at large they shall deem inconsistent with the public safety." This power, necessarily discretionary, which requires no affidavit or specific averment, and which, if my views are correct, *habeas corpus* would not remedy, it was very necessary to guard.

Being in this matter responsible to no other constituted authority than the Convention, a full disclosure to that body is especially enjoined. No such arrests, as I have said, have been made. The arrests already mentioned, preliminary to further proceedings, and which, if wrong, a *habeas corpus* would remedy, are such as, I have before remarked, every Mayor of a city, or Intendant of a village is in the habit of ordering almost every day. The affidavits are on file, however, and can be seen. The names I have withheld in this report, thinking it an unnecessary mortification to the parties to publish them.

Respectfully, your ob't servant,

I. W. HAYNE.

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## APPENDIX.

### A.

#### STATE OF SOUTH CAROLINA,

#### DEPARTMENT OF JUSTICE AND POLICE,

COLUMBIA, S. C., March 3, 1862.

As Chief of the Department of Justice and Police, I have the honor to make my first written report. The action heretofore taken by this Department, having been the subject of almost daily consultation with the Governor and Council, I have not, up to this time, considered a formal communication as necessary; but having been six days absent from Columbia on official duty, I now respectfully report:

That on Saturday, the 22d instant, at 3 o'clock, I received a telegram from Gen. S. R. Gist, stating that Gen. Ripley, the General in command, desired my presence in the city immediately, and that he (General Gist) and Judge Magrath thought it important that I should come down at once. I left in the 5 o'clock train, arrived in Charleston at daylight, and at 9 o'clock, A. M., saw General Ripley. He in-



formed me that certain changes in the disposition of the forces along the line of the Charleston and Savannah Railroad were probable, and read to me a correspondence between Gen. Lee and himself on this subject.. I agreed with General Ripley, that the change, if made, would render a prompt and more efficient action proper on the part of the Commissions appointed by the Convention to execute the Ordinance and Resolutions on the subject of removing negroes and other property from invaded territory. I found that these Commissions had not had any meeting of consultation, and that several of the Commissions had never met among themselves. Though these Commissions are independent of each other, and, as I think, of the Governor and Council, having certain large *discretionary* powers vested in them separately by the Convention, yet some concert of action, or at least a comparison of views, appeared to me eminently proper, and had been advised by me as Chief of the Police Department, immediately after my appointment.

Though without the power to *control* the separate Commissions in the exercise of their *discretion*, I had considered it as a duty devolved on the branch of the Executive authority committed to my Department, to advise with and offer aid to these Commissions, and had accordingly, at an early day, opened correspondence with the Confederate Generals on the subject, and communicated the result, with my own suggestions, to the Chairman of these Commissions. The Confederate Generals concurred in recommending, from the first, that preparations should, without delay, be made by the Commissions acting under the Ordinances and Resolutions of the Convention.

On Monday, the day following my interview with General Ripley, I called together as many of the Commissions as could be assembled on so short a notice. The Commissions, except those of Georgetown and Horry, were represented. I found from their report, that very little had as yet been done. I pressed upon them the importance of more prompt and active exertions, and after learning the communication from General Ripley, some impression seemed to be made upon them. The President of the Charleston and Savannah Railroad Company was before us, and it appeared that the means of transportation were very limited, and were further embarrassed by the irregular calls of the military. It was apparent that no general exodus could be effected.

It was the opinion of those present, that in the time now permitted for action, the voluntary movers would consume all the means available, and that it was therefore inexpedient to notify parties that they

were required to remove, or to use compulsion, so far as owners were concerned.

These Commissions were anxious to be more definitely informed as to proposed military changes. I went accordingly, at their request, to Savannah, and saw General Lee. He stated that there was really no positive change in the military policy, but that he was more than ever convinced, from recent developments, that the enemy meant to attack both Savannah and Charleston, and that when Charleston was attacked he felt more than ever assured that it would be in such force that its defence would require the concentration of his own forces, particularly General Pemberton's command, and that this would necessarily leave a large and wealthy portion of the State at the mercy of the enemy.

I returned the next day, and being unable to assemble the Commissions that evening, called them together for the next day. I reported at this meeting, and the Commissions seemed convinced of the necessity of immediate proceedings. The Commissions further requested that I would obtain a central Secretary, residing in Charleston, to aid the Commissions in the contemplated removals. James Tupper, Esq., a gentleman eminently qualified for these duties, had previously volunteered his services in any way he could be made useful to the State. I spoke to him after the meeting of the Commissions, and obtained his consent to serve in this way. I recommend his appointment by the Governor and Council.

It was at the first meeting of the Commissions that the resolutions communicated to this body, and upon which it has since acted, were adopted, in regard to an appropriation of money to aid in increasing the means of transportation on the Charleston and Savannah Railroad. I returned to Columbia in the night train of Friday, immediately after the business above referred to was completed.

I. W. HAYNE,

*Chief of the Department of Justice and Police.*

B.

*Abstract of Contracts with the State for the Manufacture and Delivery of Silt, under the Resolutions of the Executive Council, adopted 19th February, and 20th May, 1862.*

CONTRACTORS.	LOCATION OF WORKS.	DATE AND AMOUNT OF ADVANCE.	DATE AND PENALTY OF BOND.	TERMS OF CONTRACT	QUANTITY DELIVERED TO STATE	QUANTITY MANUFACTURED.	REMARKS.
1 William J. Graham.....	On Little River.....	1862. April 7 \$2,000	1862. April 7 \$4,000	To deliver at Conwayboro' 200 bushels on May 15, 1862, 300 bushels on June 1, 1862, and 100 $\frac{3}{4}$ bushels on July 1, 1862—total 600 $\frac{3}{4}$ bushels, at \$3 per bushel. The State to protect against loss by enemy.	Bushels 600 $\frac{3}{4}$	Bushels. 1,598	Contract completed.
2 H. Buck & W. J. Graham....	Head of Murrell's In-let.	June 2 3,000	June 2 6,000	To deliver at Longwood, on Waccamaw, or at Conwayboro', at option of State, one-half the quantity manufactured up to January 1, 1863, at \$4 per bushel. The State to protect against loss from enemy.	.....	August 11, 1862, commenced operations.	
3 David Riker.....	Rikersville, near Charleston.	June 17 5,000	June 17 10,000	To deliver at the depot of the South Carolina Railroad all manufactured, at \$3 per bushel, until it shall amount to the sum advanced. The State to stand all the hazard of loss from the enemy.	.....	August 11, 1862, works not completed.	
4 T. W. Beatty.....	On Coast, All Saints' Parish.	July 5 1,500	..... 1,500	To deliver on Waccamaw 760 bushels as manufactured at \$4 per bushel, \$1,500 of the advance to be paid at once. \$1,500 when all is delivered.	.....	August 13, 1862, operations not commenced.	Contract made by J. T. Walsh, Agent, under appointment of Gen. Harlee.

5	Grissette & Company.....	Near Little River.....	1862 Aug. 5 1863. June 1	1,200 1,200	To deliver on Waccamaw 600 bushels, at \$4 per bushel, at following times: 100 bushels on Nov. 1, '62; 100 bushels Jan. 1, '63; 100 bushels March 1, '63; 300 bushels June 1, '63. Of the advance \$1,200 to be cash, and \$1,200 on June 1, '63.	..... ..... .....	August 13, 1862, operations commenced.	Contract made not by J. T. Walsh, Agent, under appointment of Gen. Harlee.
6	Buck & Sarris.....	Near Murrell's Inlet.....	1862. April 1	1,000 1,000	To deliver on Waccamaw 500 bushels, at \$4 per bushel, as follows: 100 bushels November 1, 1862; 150 bushels January 1, '63; 250 bushels April 1, '63. Of the advance, \$1,000 to be cash, and \$1,000 on April 1, '63.	..... ..... .....	Aug. 13, 1862, operations not commenced.	Contract made not by J. T. Walsh, Agent.
7	E. Faum & Company.....	Upper All Saints'.....	1863. June 1	1,500 1,700	To deliver on Waccamaw one half manufactured from Aug. 1, '62 to June 1, '63, at \$4 per bushel say 800 bushels, 266 $\frac{2}{3}$ on Nov. 1, '62; 266 $\frac{2}{3}$ on Feb. 1, '63; 266 $\frac{2}{3}$ on June 1, '63. Of the advance, \$1,500 cash, and \$1,700 payable June 1, '63.	..... ..... .....	Aug. 13, 1862, operations not commenced.	Contract made not by J. T. Walsh, Agent.
8	Townley, Stephenson & Waring.	& Upper All Saints'.....	1862. Aug. 6	3,000 Aug. 4 6,000	To deliver at Fair Bluff on Wilmington and Manchester Railroad, 706 bushels, at \$4 25 per bushel. One-half as soon as made —and whole before June 1, '63.	..... ..... .....	.....	.....
9	Carr, Morris & Company....	Masonboro' Sound, Hanover County, N. C.	.....	2,000	All salt manufactured to be sold in South Carolina, in consideration of the State insuring the works against injury by the enemy to the extent of \$20,000—not to be paid in any other event.	..... ..... .....	.....	Commenced operations Aug. 11, 1862, making 40 bushels per day.



REPORT OF THE CHIEF OF THE DEPARTMENT OF  
TREASURY AND FINANCE.EXECUTIVE COUNCIL, SOUTH CAROLINA,  
DEPARTMENT OF TREASURY AND FINANCE,  
COLUMBIA, August 1st, 1862.

TO HIS EXCELLENCY GOV. PICKENS:

SIR: In accordance with your request, I have the honor to submit a Report upon the transactions of the Department of the Treasury and of Finance.

This Department was assigned by the Governor and Council to the Hon. Wm. H. Gist and myself, under the Ordinance of the Convention, entitled an "Ordinance to strengthen the Executive during the exigencies of the present war." My associate having been subsequently appointed Chief of the Department of Construction and Manufacture, the duties of *this* Department have, since that time, devolved principally upon me.

Rules for the management of this Department were adopted by the Governor and Council, on the 17th of January, 1862. A copy of these rules are herewith submitted, marked A. By these rules the Chiefs of the Treasury were required to ascertain what funds were subject to the drafts of the Governor and Council, and what demands existed against the said funds; to enforce the proper accounting of disbursing officers, and to require to be submitted, whenever practicable, estimates for expenditures, before advances were made from the said funds; to adjust and present for payment such claims of the State against the Confederate Government as had not been entrusted to other hands; and to keep regular accounts of the receipts and disbursements of the Department, and exhibit them to the Governor and Council whenever required.

The *only* fund upon which drafts have been drawn by the Governor and Council has been that derived from the sale of stocks issued under the Act of Assembly passed in December, 1861, and entitled "An Act to authorize the issue of stock to the amount of \$1,800,000, for the military defence of the State, and for other purposes." The funds arising from the sale of this stock were subjected to the order of the



Governor by the Appropriation Act of 1861, and these funds have been drawn and disbursed, in every instance, upon your Excellency's drafts upon the Treasury and checks on the Bank of the State and its Branch in Columbia, countersigned by one of the Chiefs of the Treasury.

From the Statements 1 and 2 of the Treasurer of the Lower Division, herewith submitted as Exhibit B., it will appear that of the \$1,800,000 authorized to be raised by the Act of 1861, there has been realized, from the subscriptions of sundry Banks of this State to the stock issued under the said Act, including interest, the sum of \$1,521,180 81. The difference between the principal of this sum and the whole issue authorized by the Act (\$285,290), is the proportion of the Bank of the State to the said subscription. For this balance of stock unsold, no issue, as I am informed, will be made, but the said sum will be advanced by the Bank of the State as the exigencies of the Treasury may require. Of the cash realized from the sales of the said stock, \$300,000 was appropriated by the last Legislature to the payment of the loan to the State, made by certain Banks under the resolution of the General Assembly, adopted at its extra session, held in November, 1861. This last sum, together with the interest thereon (\$2,803 09), deducted from the cash proceeds of the sale of the stock, will give \$1,218,377 72. The amount paid into the Treasury by the Bank of the State, according to the statement of the Treasurer of the Lower Division, is \$1,254,706 98, which is \$36,329 26 in excess of the proceeds of sales, after providing for the loan of \$300,000, and is to be reimbursed to the Bank from the balance of stock unsold. Exhibit B. No. 3, will show the details of this computation. As to the periods at which the stock was sold, it may be proper to state that the President of the Bank of the State found it impracticable, as I am informed by him, to act upon the suggestion of your Excellency, that the stock should be sold only as the demands upon the Treasury might require, and thus avoid the loss of interest which the State would otherwise incur. The Banks which subscribed for the stock, having set apart funds for that purpose, were unwilling to postpone their investments, or hold their quotas idle, and hence the sales were made at the times mentioned in the Statement of the Treasurer.

The accompanying account marked C., exhibits in detail, all the receipts and disbursements by the Governor and Council up to the date of this report. The aggregate of expenditures is \$938,235 57. The items which make up this sum, are arranged under the different heads

of disbursements for the respective Departments of the Council and for the contingent expenses of the Executive and Adjutant General's Departments. The amount expended for each of these Departments is as follows :

For the Department of Military.....	\$826,404 82
For the Department of Construction and Manufacture.....	89,684 57
For the Department of Justice and Police.....	15,985 48
For the contingent expenses of Executive and Adjutant General's Departments.....	6,160 70

All of the purposes for which the above expenditures were made, were, strictly speaking, for the military defence of the State, being directly or indirectly connected therewith. But I have thought it best to make the classification above indicated, so as to show the expenses of each Department, and to make the general accounts of the Treasury harmonize with and corroborate the separate reports of the different Departments.

In accordance with the rules of this Department I have required that all advances of funds should be preceded, whenever practicable, by requisitions approved by the head of the proper Department and passed for payment by the Governor and Council. The accounts of the various Military Bureaus have also been critically examined with their vouchers, and being approved and certified have been deposited with the Chief of the Department of the Military. I respectfully request that the books and vouchers, from which the accounts now submitted are prepared, may be examined and passed upon by such Committee as your Excellency may select, or such as the Convention or Legislature may designate.

The abstracts, marked D., which accompany this report, exhibit in a condensed form the present condition of the stock and cash account and the balances thereof still subject to draft under the Appropriation Act of 1861. The said balances at this date are as follows :

For Stock unsold.....	\$285,290 00
Less advanced by Bank.....	36,329 26
	<hr/> 248,960 74
For Cash in State Treasury.....	254,706 98
For Cash in Bank of State.....	69,636 13
For Cash in Branch Bank, Columbia.....	24,196 37—348,539 48
	<hr/>
Aggregate balance of Stock and Cash.....	\$597,500 22

This balance, still subject to the order of the Governor and Council, will, in all probability, be increased, at no distant day, by the receipt from the Confederate Government of the amount expended by the State upon the iron-clad gunboat now in course of construction in Charleston, under the order of the Convention, and which boat the said Government has agreed to take at its cost. The amount thus far paid on account of this boat is \$170,000. This sum has been drawn from the fund arising from the stock sold under the Act of the Legislature for the defence of the State, without resort to the appropriation of the Convention for that specific object. The above balance of cash on hand may be still further increased over \$100,000, by funds arising from the sale of Ordnance, Quartermaster and Commissary stores. These funds are now subject to the order of the Chief of Department of the Military, to whose report upon this subject reference is here made.

The duties imposed upon the Chief of the Treasury by rule 4th of this Department, relating to the claims of this State against the Confederate Government, have been extended by certain resolutions introduced by your Excellency, and adopted by the Council. A copy of these resolutions are appended, marked E. Previous to the organization of the present Executive Council, my predecessor in the Treasury Department, General W. G. DeSaussure, had prepared and presented the claims of this State against the Confederate Government, up to the 1st of July, 1861. These claims he was not allowed the opportunity fully to audit during his attendance at Richmond for that purpose. And upon the assurance that the said claims would be verified during his absence, he left them with the Auditor of the Confederate States Treasury, together with the necessary vouchers, and returned home. Since that time no information has been received in response to my inquiries as to what progress, if any, had been made in auditing the said claims. In February last \$250,000 00 was paid by the Confederate Government to Gen. DeSaussure, on account of the claims of this State, which sum was by him deposited in the Treasury, where it now remains. As to the claims which have accrued since the 1st of July, 1861, no definite result has as yet been attained, although some progress has been made in their ascertainment. I have called upon the heads of the different Military Bureaus in the State for reports upon their operations during my term of office. When these are submitted, I will be prepared to complete the adjustment now in progress of the

claims against the Confederate Government, which have accrued within that period.

Having been called by the orders of the Governor and Council to other duties in connection with the military defence of the State, I was furnished by them for one month with the assistance of General James Jones, to whose systematic and business habits I am much indebted, not only in auditing a portion of the accounts, but for the arrangement and classification of the books and business of the Department.

I have the honor to be, very respectfully,

Your obedient servant,

W. W. HARTLEE,

*Chief of Department of Treasury and Finance.*

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#### EXHIBIT A.

EXECUTIVE COUNCIL CHAMBER,

January 17, 1862.

*Rules for the Management of the Department of the Treasury and Finance, adopted by the Governor and Executive Council.*

RULE I. The Chiefs of the Department of Treasury and Finance shall proceed without delay to ascertain from the proper Officers a statement of the funds in the Treasury of the State, subject to the drafts of the Governor and Council, under the powers conferred on them by the Ordinance of the Convention, and the appropriations of the Legislature which may be so subject, as well as ascertain what other sums which may come into the Public Treasury that may be subject to the drafts of the Governor and Council, from any sources; also the present demands upon the Treasury, for expenditures, purchases of all descriptions, for transportation of troops, munitions of war and other supplies, and report the same to the Governor and Council.

RULE II. It shall be the duty of the Chiefs of said Department, or either of them, to require all disbursing officers in the military service of the State, and all others entrusted with public funds for army purposes, to account at such stated periods as may be fixed by them for disbursements of money entrusted to them, and produce proper vouchers therefor, and to report the same to the Governor and Council; also to require estimates to be submitted by such officers, with the approval of



the Chief of the Military Department, of the necessary expenditures for the military services of the State, or for the purposes of police, &c., when the same is practicable, before the funds are advanced to them; and when practicable, such estimates shall be submitted to the Governor and Council, and such advances as are made, and the amounts thereof, shall be determined on by the Governor and Council prior to such advance.

RULE III. All drafts on the Treasury and the Bank of the State, authorized to be drawn by the Governor and Council, under the Ordinance of the Convention, or by the Governor, for military purposes, under the Acts of the Legislature, shall be countersigned by either of the Chiefs of said Department.

RULE IV. It shall be the duty of the Chiefs of said Department, or one of them, to present for settlement and receive from the Confederate Government, such sums of money as may be due to this State for advances made by this State, properly chargeable to the Confederate Government, and to receipt for the same, except such claims as are already in the hands of Hon. W. G. DeSaussure, lately in the Department of the Treasury, and such as, by the laws of the State, he may be required to receipt for. All sums so received by the Chiefs of said Department, or either of them, shall be deposited in the State Treasury, and reported to the Governor and Council without delay.

RULE V. The Chiefs of the said Department are authorized to make a distribution of the duties and powers of the Department betwixt themselves, and to establish such rules as they may deem advisable for securing the proper accounting of officers and others, which shall be reported to and subject to the approval of the Governor and Council; but the signature and acts of either one of them shall be as valid in the said Department as if done by both.

RULE VI. The Chiefs of the said Department shall keep a book or books, showing the transactions thereof, both in the receipts and disbursements of money, which shall be exhibited to the Governor and Council at such stated meetings as they may require; and for this purpose they are authorized to procure the services of a clerk, at such rate of compensation as shall be fixed by the Governor and Council.

By order of the Governor and Council.

F. J. MOSES, JR., *Secretary.*



## APPENDIX TO THE

## EXHIBIT B.—No. 1.

*Subscribers to Loan \$1,800,000, under Act of December, 1861.*

BY	Amount sub- scribed for.	Amount fulfilled.
Bank of Charleston.....	\$368,330	\$368,330
Bank of South Carolina.....	121,621	121,620
State Bank.....	107,079	107,070
Union Bank.....	121,621	121,620
Planters' and Mechanics' Bank.....	121,621	121,620
Farmers' and Exchange Bank.....	121,621	121,620
People's Bank.....	180,000	180,000
South Western Railroad Bank.....	93,159	93,150
Exchange Bank of Columbia.....	53,540	53,540
Bank of Hamburg.....	53,540	53,540
Planters' Bank, Fairfield.....	32,000	32,000
Bank of Chester.....	36,486	36,360
Merchants' Bank of South Carolina.....	42,831	42,830
Bank of Georgetown.....	21,416	21,410
Bank of Newberry.....	48,485	40,000
Bank of the State of South Carolina* (not issued) .....	276,650	285,290
	<b>\$1,800,000</b>	<b>\$1,800,000</b>

Banks that refused to subscribe: Bank of Camden, Commercial Bank of Columbia.

\* This represents the balance unsold in the hands of the Bank.

## EXHIBIT B.—No. 2.

*Proceeds of Sales of Seven Per Cent. Stock, \$1,800,000 Loan, issued under Act of December, 1861, and Disbursements of the same under Appropriation Act of December, 1861, and under the regulation of the Executive Council.*

1862.	RECEIPTS.		
January 24	Proceeds deposited by Bank.....	\$688,500 00	
February 3	“ “ “ “ .....	230,000 00	
March 14...	“ “ “ “ .....	292,872 42	
March 24...	“ “ “ “ .....	43,334 56	
			\$1,254,706 98
	DISBURSEMENTS.		
January 10	Paid draft of Governor in favor of C. M. Furman, President Bank of State, under Act of December, 1861.....	500,000 00	
May 19....	Paid order of W. H. Gist, Chief of Treasury Department, under resolution of Executive Council, deposited in Bank of the State, “subject to draft of Governor, countersigned by one of the Chiefs of Department of Treasury and Finance”.....	100,000 00	
May 24....	Paid same and deposited as last....	100,000 00	
April 14....	Transferred to Treasury Upper Division, on draft of Chief of Treasury and Finance.....	150,000 00	
July 17....	Paid F. W. Pickens, Governor, and W. W. Harllee, Chief of Treasury and Finance.....	150,000 00	
	Balance undrawn 7th August, 1862.....		1,000,000 00
			\$254,706 98

W. J. LAVAL,

*Treasurer Lower Division.*

## APPENDIX TO THE

## EXHIBIT B.—No. 3.

*Statement showing Sales of State Seven Per Cent. Stock, under Act of December, 1861, by Bank of the State of South Carolina, and disposition of the proceeds thereof.*

1862.			
January 6	By Union Bank.....		\$121,620 00
	Bank of Newberry.....		40,000 00
	Bank of South Carolina.....		121,793 60
	People's Bank.....		180,121 53
	Planters' and Mechanics' Bank.....		121,908 00
	Farmers' and Exchange Bank .....		121,970 78
	Bank of Charleston.....		369,940 80
	Railroad Bank.....		93,998 59
	State Bank.....		108,095 00
	Bank of Chester.....		36 664 35
	Bank of Hamburg.....		53,540 00
	Bank of Georgetown.....		21,670 56
	Merchants' Bank, Cheraw.....		43,348 47
	Planters' Bank, Fairfield.....		32,337 55
	Exchange Bank, Columbia.....		54,170 98
March 1....	To the following Notes and Interest, held by the Banks, for Loan of \$300,000 under Act November, 1861:		\$1,521,180 81
	To Bank of Hamburg.....	\$11,004 87	
	Merchants' Bank, Cheraw.....	8,809 78	
	Farmers' and Exchange Bank.....	21,815 87	
	People's Bank.....	21,749 54	
	State Bank.....	21,753 68	
	Bank of Charleston.....	68,749 33	
	Planters' Bank, Fairfield.....	6,525 76	
	Southwestern Railroad Bank. ....	18,973 73	
	Bank of Georgetown.....	4,401 88	
	Bank of Chester.....	6,525 77	
	Bank of South Carolina.....	21,753 68	
	Exchange Bank, Columbia.....	10,876 34	
	Union Bank.....	21,753 67	
	Planters' and Mechanics' Bank.....	21,753 63	
	Bank of Newberry.....	8,682 98	
	Bank of Camden.....	9,959 49	
	Commercial Bank, Columbia.....	17,708 09	
		\$302,893 09	
January 24	To Amount transferred State Treasury...	\$688,500 00	
February 3	" " " "	230,000 00	
March 15...	" " " "	292,872 42	
March 28...	" " " "	43,334 56	
	Balance.....		36,329 26
		\$1,557,510 07	\$1,557,510 07

To Balance due Bank of the State of South Carolina, to be refunded out of the Stock subscribed for by the Bank, viz.: \$285,290 00..... \$36,329 26

## CONDENSED VIEW OF STATEMENTS 1, 2 AND 3, EXHIBIT B.

Amount of Stock authorized by Act 1861.....	\$1,800,000 00
Less amount of Stock unsold.....	285,290 00
	<hr/>
Amount principal of Stock sold.....	1,514,710 00
Add Interest accrued on above Stock when issued.....	6,470 81
	<hr/>
Whole amount realized from sale of Stock.....	1,521,180 81
Less principal of Loan paid to Banks.....	\$300,000 00
Also Interest on said Loan.....	2,803 09—
	<hr/>
Balance proceeds sale of Stock after payment of above	
Loan.....	1,218,377 72
Amount paid into the Treasury by Bank of State.....	1,254,706 98
	<hr/>
Amount advanced by Bank on its subscription of	
\$285,290 00.....	36,329 26





1862.		DISBURSEMENTS FOR DEPARTMENT OF THE MILITARY.		
Jan'y	27	To paid W. G. Eason, Acting Ordnance Officer, for Ordnance purposes.....	1	\$3,000 00
"	27	Maj. J. C. Sinkus, for Recruiting Service.....	2	2,000 00
Febr'y	1	Dr. R. W. Gibbs, for Columbia Hospital.....	4	2,000 00
"	1	Maj. White and Capt. Thomas, for Arsenal purposes.....	5,6	2,000 00
"	5	C. V. Carrington, Secretary, pay guard for bridges on Greenville and Columbia Railroad.....	12	708 45
"	6	Capt. T. B. Ferguson, of S. C. Artillery, for recruiting service.....	16	2,000 00
"	7	J. Rodger, for lead.....	17	33 65
"	8	A. A. Dearing, for military services.....	18	190 00
"	8	Edward Frost, for hire of watchmen on Blue Ridge Railroad.....	19	416 67
"	12	Maj. Thomas M. Wagner, for recruiting service.....	20	12,500 00
"	12	W. G. Eason, Acting Ordnance Officer, for Ordnance purposes.....	21	30,000 00
"	12	G. A. Follin, Clerk of Adjutant General, for expenses of C. T. Mitchell to Manassas to procure surplus arms.....	22	85 65
"	12	W. L. Van Eaton, for socks.....	23	72 90
"	12	W. L. Van Eaton, for musket.....	24	10 00
"	14	P. H. Averill, Quartermaster at Camp Hampton.....	25	14,669 71
"	21	Col. S. L. Glover, Quartermaster General.....	27	137,500 00
"	21	Maj. John Hancokel, Paymaster General.....	29	40,000 00
"	26	B. F. Arthur, for purchase of arms.....	34	500 00
"	26	G. A. Lewis, for transporting arms.....	35	5 00
March	4	J. H. Averill, Quartermaster Camp Hampton.....	38	11,022 85
"	4	Joseph Walker, Commissary General, for purchase of subsistence for troops.....	40	37,000 00
"	5	T. J. Sumner, for bridge guard on Charlotte & South Carolina Railroad.....	42	757 00
"	10	Wm. Glaze, cleaning and repairing arms.....	43	3,754 05
"	12	Theodore Stark, for purchase of arms.....	47	1,025 95
March	11	F. J. Moses, Jr., freight on arms.....	48	7 95
"	17	Wm. Steen, taking Isaac Whitten from Union Court House to Fort Sumter.....	52	45 75
"	18	B. F. Arthur, for purchase of guns, pikes and powder.....	56	421 17
"	19	S. L. Glover, Quartermaster General, on requisition of Capt. Pringle, Quartermaster 4th Brigade.....	57	5,855 00
Amount carried forward.....				308,031 75

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 \$1,032,068 07

## EXHIBIT C.—Continued.

Dr.

Cr.

1862.		<i>Disbursements for Department of the Military—Continued.</i>			
March	20	Amount brought forward.....		\$303,081 75	
"	20	To paid Joseph Newman, 1 pike.....		5 00	
"	20	Southern Express Company, freight on arms.....		15 80	
"	21	S. J. Townsend, purchase of arms.....		592 00	
"	22	Theo. Stark, freight on arms.....		7 80	
"	22	W. G. Eason, Acting Ordnance Officer, for Ordnance purposes.....		33,726 00	
"	22	John R. Niernsee, and others, for reconnaissance of Santee River.....		64 97 00	
"	22	A. M. Kennedy, for lead.....		84 75	
"	24	F. J. Gary, for arms purchased.....		70 00	
"	25	Thos. R. Waring, Cashier, for bill of exchange on London for £12,345, 13.7.....		79,561 04	
"	27	Henry Hunt, for lead.....		20 17	
"	27	S. J. Townsend, purchasing arms.....		357 00	
"	27	W. J. Magrath, for railroad cars.....		12,250 00	
"	29	S. J. Townsend, for arms purchased.....		96 85	
"	29	Master Wells, for lead.....		4 20	
"	29	T. W. Radcliffe, purchasing arms.....		1,000 00	
"	29	N. Thompson, enrolling militia.....		83 10	
April	8	Robert Harlee, labor, lumber, and Pee Dee obstructions.....		196 63	
"	8	W. H. Ford, M.D., on estimate for erecting sheds and cistern for salt-petre plantation.....		2,828 08	
"	10	W. G. Eason, Ordnance Officer, for Ordnance.....		11,937 47	
"	12	S. L. Gloyer, Quartermaster General, on estimate for purchase of artillery horses.....		7,500 00	
"	12	Dr. Wm. Reynolds, for Allen Vance, for lead.....		54 00	
"	12	Wm. Glaze, repairing arms.....		626 25	
"	15	John Hauckel, Paymaster General, for pay of troops.....		17,000 00	
"	15	Hon. James Chesnut, Jr., Chief of Department of Military, on estimate of Dr. W. H. Ford, for buildings for saltpetre works.....		1,476 50	
"	18	Hon. James Chesnut, Jr., Chief of Department of Military, on estimate of Joseph Walker, Commissary General, for purchase of rice on Santee and Waccamaw rivers.....		25,000 00	
"	18				

\$1,032,068. 07

"	21	Hon. James Chesnut, Jr., Chief of Department of Military, on estimate of Joseph Walker, Commissary General, for subsistence of troops at Georgetown.....	103	10,000 00
"	22	Hon. James Chesnut, Jr., Chief of Department of Military, for construction of iron clad gunboat.....	104	50,000 00
"	23	B. F. DeKow, for sulphur.....	105	2 80
"	23	Hon. James Chesnut, Jr., Chief of Department of Military, for labor, materials and subsistence of force obstructing Pee Dee.....	107	2,158 38
"	23	Hon. James Chesnut, Jr., Chief of Department of Military, on estimate of expenses for obstructing Pee Dee river.....	108	1,200 00
"	24	Southern Express Company, freight on arms.....	110	86 10
"	25	Rev. R. W. Barnwell, Chairman Executive Council of Hospital Asylum, under resolutions of General Assembly and Executive Council L. M. Stark, traveling expenses for military purposes.....	111	13,482 50
"	25	Hon. Wm. H. Gist, lead from Eichelberger.....	112	10 75
"	26	Junius J. Belser, for lead.....	113	18 75
"	26	George W. Earle, for lead, sulphur and saltpetre.....	114	202 80
"	26	Wm. H. Gist, lead from Gibbs.....	115	74 53
"	26	J. F. Sutherland, for lead of Kennedy and McDowell.....	116	1 95
"	29	Alexander McBee, for lead.....	119	214 50
May	3	John Perry, for lead.....	121	409 86
"	3	A. J. Gonzales, expenses Pee Dee commission.....	122	447 75
"	12	William Martin, for lead.....	123	30 00
"	12	Hon. James Chesnut, Jr., Chief of Department of Military, expenses of messenger to Richmond.....	124	14 10
"	13	Joseph Walker, Commissary General, for purchase of rice on Santee, Waccamaw and Black Rivers.....	126	75 00
"	13	J. M. Rutland, for lead.....	129	25,000 00
"	14	W. G. Eason, Ordnance Officer, on estimate for ordnance purposes.....	130	603 30
"	14	C. J. Bollin, for bridge guard on Wilmington and Manchester Railroad, to 1st of January, 1862.....	131	15,890 93
"	16	Matheson & Co., for lead.....	133	184 00
"	20	Wm. Glaze, repairing and altering arms.....	136	156 00
"	21	Thos. W. Radcliffe, State Agent, on estimate for purchase of arms by order of Council.....	139	927 87
"	21	Captain J. P. Thomas, for freight on arms and lead, and pay of Agent.....	140	1,000 00
"	21	Amount carried forward.....	141	67 90
				\$1,032,068 07

## EXHIBIT C.—Continued.

Dr. Cr.

1862.	Disbursements for Department of Military—Continued.			\$1,032,065 07
	Amount brought forward.....		\$624,331 16	
May 30	To paid J. K. Sass, for construction of gunboat.....	142	50,000 00	
" 31	Charlotte and South Carolina Railroad Company, for guarding bridges..	145	309 00	
" 31	R. W. Gibbs, for purchase of house and lot in Columbia, for stores.....	147	4,200 00	
June 3	South Carolina Railroad Company, bridge guard from 1st November, 1861, to 1st May, 1862.....	152	2,708 79	
" 10	Hon. James Chesnut, Jr., Chief of Department of Military, for purchase of 75 Enfield Rifles.....	161	3,0 00	
" 13	Wm. G. Eason, Ordnance Officer, for ordnance purposes.....	166	11,727 60	
" 13	J. P. Thomas, for Arsenal keeper.....	167	1,200 00	
" 20	Dr. W. H. Ford, Superintendent Saltpetre Works, for his salary.....	169	375 00	
July 1	Gen. J. C. Pemberton, loan to him to purchase forage.....	179	15,000 00	
" 2	W. G. Eason, Ordnance Officer, for freight on guns.....	180	5,910 60	
" 4	J. K. Sass, Chairman Gunboat Committee, for construction of gun-boat.....	183	70,000 00	
" 10	W. G. Eason, Ordnance Officer, on estimates for ordnance purposes.....	186	14,710 81	
" 11	Wm. Greene, for obstructions to Pee Dee River.....	188	\$53 75	
" 12	Wm. Glaze, for repairing arms.....	190	1,208 90	
" 14	Dr. W. H. Ford, for saltpetre plantation.....	191	1,099 72	
" 16	W. H. Ray, for sulphur.....	192	34 78	
" 17	J. R. Niernsee, expense Military Commission to survey mountain passes	193	936 43	
" 17	B. F. Arthur, salary as clerk of Military Department.....	194	233 23	
" 19	George Edwards, for guarding ordnance.....	197	182 00	
" 23	John Hanchel, Paymaster General, on estimates ordered by Executive Council.....	199	14,000 00	
" 30	Dr. W. H. Ford, on estimate for funds for saltpetre plantation.....	200	2,225 80	
" 30	Dr. W. H. Ford, for wagon train for saltpetre plantation.....	201	1,483 00	
" 31	Wm. Shepherd, 143 lbs. buckshot.....	202	35 75	
			\$826,404 82	



*Disbursements for Department of Construction and Manufacture.*

Feb'y 25	To paid David Lopez, traveling expenses.....	31	476 55
" 25	David Lopez, for manufacture of arms.....	33	200 00
March 22	David Lopez, for State works for manufacture of arms.....	65	5,000 00
April 2	David Lopez, for machinery, tools and hardware for State works. ....	75	7,110 49
" 9	David Lopez, to purchase bacon.....	81,82	4,500 00
" 23	Hon. W. H. Gist, Chief of Department of Construction and Manufacture, for purchase of iron, steel and bacon, and pay of mechanics.....	106	4,005 04
May 12	Hon. W. H. Gist, Chief of Department of Construction and Manufacture, for estimate of David Lopez for armory.....	125	29,379 39
" 14	Hon. W. H. Gist, Chief of Department of Construction and Manufacture, for pike handles of S. S. Gibbs.....	132	396 00
" 16	Hon. W. H. Gist, Chief of Department of Construction and Manufacture, for coal.....	135	921 80
" 19	I. B. Sherman, for 917 pike handles.....	137	458 50
" 31	C. J. Bollin, freight on machinery and materials for State armory.....	143	1,241 31
" 31	David Lopez, on estimate State armory.....	144	10,165 00
June 7	W. S. Henery, for steel.....	158	693 01
" 10	Gilbert Morgan, for lead.....	160	172 50
" 21	Hon. W. H. Gist, Chief of Department of Construction and Manufacture, for F. Patuzo, removing bells from Charleston.....	171	1,200 00
" 21	Hon. W. H. Gist, for R. A. Pringle, cotton cards.....	172	3,789 00
" 23	Hon. W. H. Gist, for F. Patuzo, removing bells.....	174	504 75
" 23	Hon. W. H. Gist, for B. P. Bruner, for coal.....	175	1,062 58
" 27	Hon. W. H. Gist, for S. Robo, iron and nails.....	176	982 50
" 30	David Lopez, freight on cards.....	178	6 65
July 2	G. S. Bower, desk for office.....	183	18 00
" 10	David Lopez, for one gun.....	185	30 00
" 10	David Lopez, on estimates for State works.....	187	16,180 00
" 21	Hon. W. H. Gist, bill for coal.....	198	1,201 50
			89,684 57

*Disbursements for Department of Justice and Police.*

Jan'y 27	To paid police force on Sullivan's Island.....	3	276 65
Feb'y 5	I. C. Morgan, printing circulars for Provost Marshals.....	13	7 50
Amount carried forward.....			284 15
			916,989 39
			\$1,032,068 07



## EXHIBIT C.—Continued.

Dr. Cr.

1862.	Disbursements for Department of Justice and Police—Continued.		\$284 14 8 50 2,500 00 100 00 2,000 00 5,000 00 111 50 113 00 3,000 00 1,080 00 258 33 1,500 00 30 00	\$916,089 39	\$1,032,068 07
Feb- 27	Amount brought forward.....	36			
April 9	To paid I. C. Morgan, printing circulars for Provost Marshals.....				
" 13	Hon. I. W. Hayne, Chief of Department of Justice and Police, for advance on manufacture of salt.....	83			
" 18	Hon. I. W. Hayne, Chief of Department of Justice and Police, for pay of police agents.....	95			
May 15	Hon. I. W. Hayne, Chief of Department of Justice and Police, for W. J. Graham, on contract for salt.....	100			
June 12	Hon. I. W. Hayne, Chief of Department of Justice and Police, for D. Riker on contract for salt.....	134			
" 12	T. W. Berry, for police service.....	162			
" 12	J. B. Pollock, for police service.....	163			
" 23	Hon. I. W. Hayne, Chief of the Department of Justice and Police, for Buck & Graham, on contract for salt.....	165			
" 30	Sampson & Co., for 72 sacks salt.....	173			
July 5	W. R. Hunt, salary as clerk.....	177			
" 19	T. W. Bealy, for advance on contract for salt.....	184			
	J. B. Pollock, for police service.....	196			
	<i>Disbursements for Executive and Adjutant General's Department for Contin- gent Expenses.</i>		15,985 48		
Feby- 3	To paid Evans & Cogswell, for stationery for Executive Department.....	7	580 78		
" 3	S. C. DePass, keeper of Executive and Adjutant General's offices.....	8	28 80		
" 3	F. J. Moses, Jr., for hire of servants for above offices.....	9	55 00		
" 3	F. J. Moses, Jr., for Isaac Reid, messenger from Charleston to Columbia.....	10	13 00		
" 4	F. J. Moses, Jr., for P. B. Glass, for stationery for Executive Department.....	11	53 33		
" 5	George E. Baker, for telegraphs for Executive Department.....	14,15	706 25		
" -20	F. J. Moses, Jr., for Evans & Cogswell, for stationery, copying press and fixtures.....	26	143 25		

"	24	G. S. Bower, for furniture for Executive Department .....	28	74 00
"	24	Theodore Stark, for servant hire and wood .....	30	41 85
"	25	F. J. Moses, Jr., servant hire for office of Adjutant General .....	32	20 00
March	3	George E. Baker, for telegrams for Executive Department .....	37	64 42
"	4	Townsend & North, for books and stationery for Executive Department .....	39	103 70
"	4	H. Casey, for lightwood .....	41	4 00
"	11	Theodore Stark, servant hire for Executive Department .....	44	20 00
"	12	George E. Baker, telegraphs for Executive Department .....	37	60 25
"	13	F. J. Moses, Jr., servant hire for Executive Department .....	49	40 00
"	15	"Camden Journal," for publishing proclamations and military orders of Governor and Adjutant General .....	50	77 50
"	15	I. C. Morgan, printing for Executive Council .....	51	23 50
"	17	R. W. Gibbs, for check book .....	53	15 00
"	18	Jesse Drafts, for Charleston Mercury, publishing orders of Adjutant General .....	54	93 40
"	18	Theodore Stark, wood for Executive office .....	55	28 00
"	20	Charleston Mercury, publishing proclamations of Governor and resolutions of Executive Council .....	61	246 30
"	27	Muller & Senn, candles and matches for Executive Office .....	70	29 50
April	9	Charleston Courier, publishing proclamations, orders, resolutions and notices of Governor, Adjutant General and Executive Council .....	78	331 75
"	9	S. G. Courtney, for record book .....	79	10 00
"	9	F. J. Moses, Jr., servant hire for Adjutant General .....	80	25 00
"	10	Geo. E. Baker, telegraphs for Governor, Adjutant General and Executive Council .....	84.85	91 29
"	10	Theodore Stark, servant hire .....	87	20 00
"	11	J. B. Glass, P. M., postage for Executive Council .....	92	91 67
"	11	J. C. Hope, for Lexington Flag, publishing proclamations, orders and resolutions of Governor, Adjutant General and Executive Council .....	93	92 05
"	11	J. B. Glass, postage stamps for Departments of Executive Council .....	94	80 00
"	15	Marion Star, publishing proclamation of Governor .....	96	9 00
"	15	W. R. Hunt, for furniture, stationery and candles for Executive Department, and freight on guns .....	98	68 65
"	16	W. G. DeSaussure, Adjutant General, for postage stamps .....	99	20 00
"	23	Sumter Watchman, publishing resolutions and orders for Executive Council .....	100	244 45
Amount carried forward .....			\$3,605 69	\$1 032,068 07

## EXHIBIT C.—Continued.

Dr. Cr.

1862.	Disbursements for Executive and Adjutant General's Department for Contin- gent Expenses—Continued.		\$3,605 69	\$932,074 87	\$1,032,068 07
April 26	Amount brought forward.....	117	131 70		
" 26	To paid J. B. Glass, books, stationery and copying press .....	118	4 00		
May 2	S. Waddell, table for Adjutant General's office.....	120	100 00		
" 12	W. G. DeSaussure, Adjutant General, for stationery and candles.....	127	50 00		
" 12	Theodore Stark, servant hire and wood.....	128	37 65		
" 19	Telegraph Company, messages for Adjutant General.....	138	28 66		
" 31	G. A. Pollin, for servant hire for Adjutant General's office.....	146	231 45		
June 2	W. G. DeSaussure, Adjutant General, for office expenses.....	148	171 25		
" 3	Gilbert & Darr, for advertising.....	149	59 25		
" 3	P. B. Glass, stationery for Adjutant General.....	150	324 34		
" 3	W. R. Hunt, removing records from Charleston.....	151	140 85		
" 4	P. B. Glass, for stationery and books for Executive Council.....	153	5 50		
" 5	Sammel Waddle, for furniture for Executive Office.....	154	31 70		
" 5	George E. Baker, telegrams for Adjutant General.....	155	15 75		
" 6	Wm. R. Hunt, for candles for offices, and freight.....	156	386 90		
" 6	George E. Baker, telegrams for Executive Council.....	157	288 50		
" 7	Barnwell Sentinel, publishing proclamations, resolutions and orders.....	159	20 00		
" 18	Theodore Stark, for servant hire for offices.....	168	7 00		
" 21	Darlington Southerner, advertising.....	170	76 90		
" 21	Charles-ton Mercury, for advertising orders of Executive Council.....	164	111 11		
July 2	James Jones, salary as auditor of accounts.....	181	197 45		
" 2	W. G. DeSaussure, Adjutant General, for office expenses.....	182	49 43		
" 8	Post Office, box rent and postage.....	185	20 00		
" 11	Theodore Stark, hire of servant.....	189	50 00		
" 18	B. F. Arthur, for postage stamps.....	193	55 62		
	Wm. R. Hunt, freight and office expenses.....			6,160 70	

## RECAPITULATION.

July 31	Disbursements for Department of the Military .....	\$826,404 82	\$938,235 57
	Disbursements for Department of Construction and Manufacture, .....	89,684 57	
	Disbursements for Department of Justice and Police.....	15,985 48	
	Disbursements for Department of Executive and Adjutant General.....	6,160 70	
	To balance, cash in Bank of State.....	69,636 13	93,832 50
	cash in Branch Bank, Columbia.....	24,196 37	
		\$1,032,068 07	\$1,032,068 07

DEPARTMENT OF TREASURY AND FINANCE, Columbia, 31st July, 1862.

## EXHIBIT D.

*Abstract of Account with State Stock Loan of \$1,800,000, issued under A. A., 1861, for the Military Defence of the State.*

Dr.	To amount of Stock directed to be issued under the above Act.....		\$1,800,000 00
	Amount of Interest accrued upon Stock when issued.....		6,470 81
Cr.	By amount applicable under Appropriation Act of 1861 to the payment of the Loan made by the Banks of this State, under the resolution of the General Assembly, adopted at the Extra Session, held in November, 1861.....	\$3 0,000 00	
	Interest on above Loan at time of payment..	2,803 09	
	By amount of proceeds of sales of stock, drawn by the Governor and by the Executive Council, as per statement of the Treasurer of the Lower Division .....	1,000,000 00	
	Balance, Cash in hands of Treas'r..\$254,706 98		
	Balance Stock unsold..... 285,290 00		
	Less advance of Banks 36,329,26...248,900 74	503,667 72	
		\$1,806,470 81	\$1,806,470 81

COLUMBIA, S. C., 31st July, 1862.

*Abstract of Cash Account of Department of Treasury and Finance, to 31st July, 1862.*

Dr.	To amount received from State Treasury from sales of Stock, made under Act of 1861, as per account of Treasurer of Lower Division .....		\$1,000,000 00
	To amount received from other sources, as per account current of this Department.....		32,068 07
Cr.	By disbursements for Department of the Military.....	\$826,404 82	
	By disbursements for Department of Construction and Manufacture.....	89,684 57	
	By disbursements for Department of Justice and Police.....	15,985 48	
	By disbursements for Executive and Adjutant General's Departments.....	6,160 70	
	Gross sum of disbursements.....	\$938,235 57	
	Balance cash in Bank of State.....\$69,636 13		
	Balance cash in Branch, Columbia.. 24,196 37	93,832 50	
		\$1,032,068 07	\$1,032,068 07

COLUMBIA, S. C., 31st July, 1862.



*Statement of Balances from above accounts, showing Stock and Cash  
subject to draft of Executive Council.*

1862.			
July 31..	By stock unsold this date, less adv. of Bank .....		\$248,960 74
" 31..	By Cash in State Treasury.....	\$254,706 98	
" 31..	By Cash in Bank of State.....	69,636 12	
" 31..	By Cash in Branch, Columbia.....	24,196 37	348,539 48
	Aggregate balance, 31st July, 1862 .....		\$597,500 22

## EXHIBIT E.

*Resolutions of the Governor and Council in relation to the claims of this State against the Confederate States.*

1. *Resolved*, That the Chief of the Treasury be directed to make out a full statement of the accounts of South Carolina against the Confederate Government, from the 20th of December, 1860, the day on which the State withdrew from the old Federal Union, up to the present time.

2. *Resolved*, That said statement shall show in the account what expenses were incurred by South Carolina from the 20th of December, 1860, up to the 8th of February, 1861, the latter day inclusive, in sustaining her independent position, and in defending the harbor of Charleston.

3. *Resolved*, That as Castle Pinckney, Fort Moultrie and Fort Johnson, with all their heavy armaments, ordnance stores, ammunition, and so forth, were acquired by the authorities of South Carolina within that period, and were, upon the adoption of the Confederate Constitution, transferred by the State Convention to the Confederate Government, *therefore*, all the expenses incurred by the State herself in thus acquiring them, are justly chargeable against the Confederate Government, and that the Chief of the Treasury be instructed to make out this account accordingly.

4. *Resolved*, That the Chief of the Treasury do also make out a full statement of all expenses, from the 8th of February, 1861, up to the present time.

5. *Resolved*, That the Act of the Provisional Congress, entitled "An Act making appropriations for the support of three thousand men, for twelve months, to be called into service at Charleston, South Carolina," &c., &c., approved the 11th of March, 1861, and the declaratory resolutions of the Provisional Congress "in regard to the military expenditures made by the State of South Carolina," approved the 10th of May, 1861, clearly show that the sums therein mentioned were expressly intended to cover the military expenditures of this State, made previous to the regular organization of the Confederate Government, and that they intended thereby to dispense with the regular forms generally required, of vouchers necessary to pass accounts before the Auditors of the Treasury, as most of the expenditures were made before there were any Confederate officers to make or acknowledge requisitions.

6. *Resolved*, That the Chief of the Treasury give credit, in this account, for the \$686,774 00 paid by the Confederate Government upon vouchers regularly admitted, leaving \$1,202,597 71; and also for the \$250,000 00 ordered by Congress to be paid over to this State, on account of advances made by this State to the Confederate Government; \$250,000 00 to be credited on the open claims not yet adjusted, and not for accounts, the vouchers of which were presented by General W. G. DeSaussure, on the part of this State, as Secretary of the Treasury, and most of which were admitted, but not settled for want of time.

7. *Resolved*, That the account rendered to the Governor by Colonel Duryea, as Secretary of the Coast Police, against the Confederate Government, for 458 tons of Coal, at the estimated value \$20 per ton, together with the receipts for the same given by Brigadier General Ripley, Confederate General Commanding; and also the receipt given by General Ripley for the Howell Cobb, and her armament, at the estimated value for the same, \$2,500 00, be all put in proper form by the Chief of the Treasury against the Confederate Government.

8. *Resolved*, That the Chief of the Treasury pass over to the credit of the Governor and Council the amount deposited in the Bank of the State by Colonel Duryea, Secretary of the Coast Police, \$5,264 07, as balance cash, after deducting expenses for sale of certain vessels, taken by orders of the Governor before the 8th of February, 1861, from the Government of the late United States.

9. *Resolved*, That the Chief of the Treasury be instructed, as soon as an appropriate time may occur, to present the accounts against the Confederate Government in proper form, and urge them to a speedy settlement, and if it be preferred, he is hereby authorized to receive Confederate Bonds, in full settlement for the same, as cash.

10. *Resolved*, That the Ordnance Officer of the State be directed to furnish an authentic account of the arms and accoutrements that have been advanced to the troops of South Carolina (of all kinds), that have been mustered into Confederate service from the 8th of February, 1861, and an estimated value of the same, and that, upon the reception of such account, with the official vouchers from the office of the State Ordnance Officer, the Chief of the Treasury be directed to add the same to his account against the Confederate Government.

REPORT OF THE CHIEF OF THE DEPARTMENT OF  
CONSTRUCTION AND MANUFACTURE.DEPARTMENT OF CONSTRUCTION AND MANUFACTURE,  
COLUMBIA, S. C., August 29th, 1862.

TO HIS EXCELLENCY GOV. PICKENS :

In obedience to the call of your Excellency on this Department for a report of its condition, "under the fifth section of the Ordinance of the Convention organizing the Executive Council," I respectfully report :

That on the 24th March last, the Governor and Council created the Department of Construction and Manufacture, and appointed me Chief of that Department; and that I entered upon its duties a few days afterwards. The most important duty devolving on me was the establishment of a foundry and work shops for casting cannon, making gun carriages and the manufacture of small arms. The Council having decided to establish a foundry and armory on a small scale, authorized me to search out a suitable location and procure a site. Before determining upon a site, and with a view to get all the information necessary to secure a proper location, with reference to motive power, suitable iron, timber, and other things necessary to success in making ordnance and small arms, I sent a special agent to Richmond, and with the assistance of the authorities procured the services of Mr. Campbell, who was engaged at the Tredegar Works, a man of intelligence, experience, and familiar with manufacturing arms and munitions of war. In company with him and Mr. D. Lopez, the General Superintendent of the State Works, I visited the Nesbit and King's Mountain Iron Works, and obtained reliable information in relation to the other iron works in the State. The pig iron made by the King's Mountain Iron Company, in York District, was critically examined by Mr. Campbell, and, in his opinion, was well adapted to casting cannon; but he assured us that nothing but the powder test could be relied on with certainty, and advised that a lot of the iron should be sent to Richmond to be cast into cannon, and subjected to that test. Accordingly ten tons were sent, and we had the promise of Col. Gorgas that he would cast and test the cannon. The defence of the capital being of paramount cou-



sideration, the test was not made for some time, and no official report has yet been made to me on the subject; but one of our agents who was in Richmond at the time, and others that witnessed the experiment, inform me that a 24-pounder was cast, bored and subjected to a severe and unusual test, and that the trial was highly-satisfactory and established beyond doubt that the iron was entirely suitable for casting ordnance. It was our intention to bring the gun to South Carolina for the use of the State, but Col. Gorgas was unwilling to spare it, and upon his proposing to pay for the iron, I consented that the Confederate Government should keep it. Mr. Campbell informed me that there were but few places in the Confederacy where iron suitable for cannon was made, and that, therefore, it was of great importance to be sure of a supply of such iron. Although a limited quantity of this iron is now made, yet if necessary it can be largely increased, the ore being abundant and the facilities for making it at our command. The impression that iron ore which makes tough malleable iron will necessarily be suitable for casting cannon is an error, and has been demonstrated to be so in many instances. To show the importance of having proper iron for casting cannon it is only necessary to state, that the Confederate Government was compelled to transport iron all the way from New Orleans to Richmond to mix with other iron to make it answer the purpose.

Greenville Court House was selected as the best place, in my judgment, to establish the "State Works;" after consultation with our General Superintendent, a gentleman of great ability and very conversant with manufacturing in all its branches, and with Mr. Campbell, who has had a large experience, is entirely disinterested, and whose opinion therefore is entitled to great respect. The reasons in detail for the selection of Greenville, over other places, have been already given in my report to the Governor and Council, in relation to the location of the "works," was approved by them, and is appended to this report. Among other reasons, Mr. V. McBee made a present to the State of twenty acres of land near the village and directly on the railroad, for which he had refused to take less than two hundred dollars an acre, and for which gift he is justly entitled to the thanks of the State. It was important that the "works" should be located immediately on a line of railroad to facilitate the transportation of heavy ordnance. In fact, ten inch Columbiads and other heavy guns cannot be transported in any other way without immense cost and labor. It was desirable, other things being equal, to locate the "works" as near as possible to



the iron works from which the supply of iron was to be furnished, but to do so, the transportation of heavy guns, gun carriages, shot and shell down to Columbia would have to be made over two roads, instead of a continuous road passing directly through, and so of the coal and other things necessary for the works, going up to Greenville. Besides, the bridge on the Spartanburg & Union Railroad is not regarded as safe for very heavy freight, and might give way at a time when it would be important to send heavy guns over it. It is true the value of the iron will be enhanced by additional transportation, but for the reasons above given, and others in my report above alluded to, this is more than counterbalanced by the advantages enumerated.

Soon after the selection of the site we commenced putting up the necessary buildings for a foundry and work shops, and considering the difficulty of procuring materials and skilled labor, have progressed rapidly. In the meantime temporary work shops were established in Columbia for repairing arms, which have enabled us to repair and put in fine condition a considerable number of arms, changing old flint and steel locks to percussion, altering bayonets to fit, making new stocks when necessary, and also making a large number of pikes, details of which you will find in the report of the General Superintendent accompanying this report.

At your suggestion, meeting my hearty approval, and confirmed by the Council, we purchased a fine lot of machinery in Charleston, when the city was seriously threatened, and removed it to Greenville, even before we had commenced building there. If the city had been captured, there was no other place in the State where shell or shot could be immediately cast, and if the machinery in the city had been lost, it could not have been supplied without great difficulty and at an enormous expense. Richmond and Nashville, Tennessee, were also seriously threatened and in great danger of capture. New Orleans, where an armory was in operation, was in danger, as its subsequent capture demonstrated. At that time the condition of affairs was gloomy, and the prospect was that the Confederate Government could not supply the troops with arms and ammunition. Under these circumstances, and with the danger of invasion extending even into the interior, it would have been culpable negligence not to prepare for it, by endeavoring to supply ourselves with the means of defence. The first arms manufactured were pikes, not because we considered them equal to the rifle or musket, but because they were made more rapidly, and were better than no arms at all, and may yet be needed.

The machinery obtained from Charleston, though very valuable, was not sufficient for our purposes, but through the indefatigable exertions of our General Superintendent, Mr. D. Lopez, we succeeded in procuring the machinery removed from Nashville, Tennessee, when the enemy got possession of the town. This machinery was estimated to be worth, at the time we received it, twenty-three thousand dollars (\$23,000); at the present rate about fifty per cent. more. The terms upon which we received the machinery were very favorable, saving the State of South Carolina from advancing money at a time when there were so many drains upon her resources. It was arranged with Governor Harris that the State of South Carolina should take the machinery and give a receipt for it, subject to settlement at a fair price at the end of the war. Had he insisted on selling it to the State, and required a cash payment at the time, it would have deprived the State of the use of money necessary for other purposes, and, what is worse, the market price now for such machinery is enormous.

On my retirement from office as Governor, the State had on hand over one hundred pieces of ordnance and thirty-two thousand stand of small arms, including those in the United States Arsenal in Charleston, which we could have at any time commanded; and exclusive of the public arms in the hands of the militia, many of which had been recently issued, and some of them of the most approved patterns; so that the State was at that time well supplied with arms. Since then, up to November, 1861, the State has sent to Virginia, in the hands of her troops and otherwise, eleven thousand two hundred and sixty stand of arms, besides a considerable number of swords and pistols. Seven thousand stand have also been sent to Florida, Pensacola and Memphis, making a total of eighteen thousand two hundred and sixty sent out of the State; and the Confederate Government, upon an application of your Excellency, has refused to return those in their possession, leaving it to the State to make a charge for them, in her account with that Government.

That the State should always have a moderate supply of arms on hand, cannot admit of doubt. My opinions on that subject are better expressed than I can express them in the report made by Col. E. Manigault to the Ordnance Board on the 21st of November, 1861. He says: "If the State is sovereign, as we all hold she is, she is sovereign as well in war as in peace, and for warlike as well as peaceful purposes. To claim sovereignty without the readiness, or even the disposition to defend that sovereignty by force of arms, is simply absurd. It is the

duty of the State, therefore, to retain the means of defence, and not to give up to any other power whatever all her military material, and in so doing, shift from her own shoulders the duty and labor of her defence. It took thirty years for South Carolina to accumulate the ordnance material, small though it was, which was in her arsenal when the troubles began. If she give up all her material, when will she be again supplied? One of the most powerful arguments used against the State's acting, either alone or in coöperation, against the encroachments of the Federal Government, was that she had not the material preparation which would enable her to support that hostile attitude. As long as the political atmosphere appeared serene, it was impossible to induce the Legislature to make appropriations for procuring military material, and when the storm appeared there was no time for it, and the State was warned by those opposed to action, that she was totally unprepared for war. Against a recurrence of this difficulty I would endeavor to guard; by recommending that the State should always have on hand one hundred pieces of heavy artillery, of the most approved pattern and manufacture, about eight full batteries of the best field artillery, and ten thousand stand of small arms for infantry, together with a proportionate number of carbines, pistols and sabres for the use of cavalry. The occurrences of this summer and autumn demonstrate clearly that the State should not rely entirely upon the arms of the Confederate Government for her protection against a foreign enemy."

The whole amount put down in the books of the Chief of the Treasury as chargeable to this Department up to the 15th August, (with the exception of \$476 65, with which the Department had nothing to do, being money paid D. Lopez, Esq., directly by the Governor and Council before the Department of Construction and Manufacture was established,) is \$95,212 02. This includes many items not properly belonging to this Department; as for instance, amount paid for cotton cards to be sold at cost to soldiers' families, \$3,780; cost of removing bells from the city of Charleston, when the city was in danger of capture, \$1,704; cash paid for iron to make spikes for the Confederate gunboat and to be refunded the State, \$982; cash paid for bacon not necessary to be used at the "works" and subject to the orders of the Chief of the Military, say, \$5,000; making an aggregate of \$11,666.

In view of the probability of the fall of Chattanooga, Tenn., we have accumulated a considerable quantity of coal, very little of which has been used up to this time. We have also on hand a considerable quan-



tity of steel, files, iron, copper, brass and other materials for the manufacture of arms and munitions of war; which will make the outlay for the rest of the year much less than it has been in the time past; and we have already saved for the State in the repairs of arms, making pikes, caissons, battery wagons, twenty-two thousand eight hundred and ninety-three dollars (\$22,893), all of which will appear in Exhibit B.

The expense of carrying on the "State Works" has been necessarily very considerable, owing to the high prices for skilled labor, material and provisions. Iron, steel and many other articles are sold at more than quadruple the prices formerly paid for them, and we have been compelled to purchase files and other essential articles that run the blockade, at whatever prices were asked for them. When it is recollected that rifles which sold for fifteen dollars before the blockade, have been lately sold for seventy dollars, and cannon powder which heretofore sold for twenty or twenty-five cents a pound, has recently sold for two dollars and twenty-five cents, some idea may be had of the cost of materials which have run the blockade or have been enhanced in value by it.

By the first of October the "Works" will be in condition to cast shot and shell, and soon after that time to cast cannon. No small arms will be made in less than six or seven months unless the exigencies of the service should require them; in that event by multiplying labor without regard to its profitable employment, the manufacture of small arms can be commenced much sooner. It must be remembered that the same hands to a considerable extent necessary to carry on a foundry and work-shops, can at the same time make the machinery and tools necessary to manufacture small arms; and in that way the work can be done much cheaper than by employing hands exclusively to make machinery and fit up tools for small arms.

It is not contemplated to establish a first class armory like the one at Springfield or Richmond, but upon a scale commensurate with State means, and which may be increased if necessity should require it. If the war should continue for some time, and more especially if the blockade of Southern ports should become so effective as to prevent further importation of arms, it will be absolutely necessary for every armory that can be put in operation to be engaged in the manufacture of small arms; and even if the war should end in a short time, we will to a considerable extent be compelled to keep up our military organization and keep arms in the hands of our people to be at all times prepared to repel the aggression of bad neighbors.

With an armory to keep the State at all times supplied with good arms, and with the materials for making gunpowder at our command, we may feel confidence in our means of defence. The saltpetre plantation near this city, established by the Governor and Council, and in charge of the Chief of the Military Department, promises to supply that indispensable article in quantities sufficient for our purpose, and can be increased at pleasure. Sulphur can be obtained from several places in the State at small cost, and willow, the only other material necessary for the manufacture of powder, can be obtained all over the State.

The manufacture of salt, though properly belonging to my Department, was put under the charge of the Chief of Justice and Police, before my Department was established, and has never come under my supervision.

We had under our control and in our possession a large quantity of lead received from various parts of the State, some by gift and some by purchase, but the pressing wants of the Confederate Government have induced us to turn over to it a large portion of the lead. A great deal yet remains in several of the upper Districts in the shape of pipes, which the patriotic owners hold subject to the call of the State whenever it is necessary to have it. It has not been removed, as it would be very inconvenient for the parties to do without it, being used to conduct water to their dwellings, and it was, therefore, thought advisable to let it remain until the emergency required its removal and use by the State.

Upon the application of Capt. D. N. Ingraham, of the Confederate States Navy, I had made and supplied him with spikes for the iron clad gunboat in his charge, and I have received, through the Superintendent, payment for them.

The instructions of the Governor and Council, directing me to purchase a lot of cotton cards at a price not exceeding four dollars and fifty cents a pair, and sell them to the families of soldiers at cost, distributing them in the districts where they were most needed, according to the ratio of the white population, has been attended to and partial returns of sales have been made to me. To cover the expense of freight and other charges, the price was fixed at four dollars and seventy-five cents a pair. Some of the cards were slightly damaged in reaching their destination, and a few of the persons to whom they were sent report each one pair missing, but as twenty-five cents is more than the actual cost of freight per pair, and no charge has as yet been made for



selling, it is believed that the State will sustain no loss. The wisdom of the measure is fully justified by the call for more on all hands, and the assurances that what was disposed of has done much good, and by the fact that factory yarn has doubled in price in the last six months, and is almost beyond the reach of the poor to purchase.

For a more detailed account of the operations of this Department, I refer your Excellency to the Exhibits marked A. and B., and the Report of the General Superintendent accompanying this report.

All of which is respectfully submitted,

WM. H. GIST,

*Chief of Construction and Manufacture.*

NOTE.—I have been unable to obtain my report to the Governor and Council in relation to the establishment of the State Works at Greenville. It was ordered to be filed, but the then Secretary, Col. F. J. Moses, cannot find it.

WM. H. GIST.

## EXHIBIT A.

*W. H. Gist in account with Treasury Department for Cash received on account of Department of Construction and Manufacture, and other purposes, to 15th of August, 1862.*

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To cash to date as per account.....	\$95,208 02
By amount received and accounted for by General Superintendent of the State Works in his account rendered and shown in paper No. 3, attached to his report.....	\$82,539 92
Paid Freight on Machinery and Stock.....	1,241 31
“ for Steel.....	693 01
“ S. Bobo for Iron.....	982 50
“ one double barrellèd gun.....	30 00
“ for Coal.....	3,184 88
“ for Pike Staves.....	854 50
	<hr/>
	\$89,526 12

*Disbursement for Sundries not connected with  
Department of Construction and Manufacture.*

For Cotton Cards.....	\$3,786 65
“ taking down and removing Church Bells from Charleston to Columbia.....	1,704 75
“ Désk for Office.....	18 00
“ Lead.....	172 50—\$5,681 90
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	\$95,208 02

## EXHIBIT B.

*Statement of value of Work done and comprised in Paper No. 1 of  
the Report of General Superintendent of State Works.*

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Altering to percussion, repairing and cleaning 1,620 muskets, at \$8 per musket.....	\$12,960
Repairing and cleaning 239 rifles, carbines and double-barrel guns, and 874 bayonets.....	817
Building six caissons and limbers complete.....	3,600
Building one battery wagon.....	750
1,000 pikes.....	3,000
Spikes for gunboat, for Capt. Ingraham.....	1,766
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	\$22,893

REPORT OF THE GENERAL SUPERINTENDENT OF THE  
STATE WORKS.OFFICE GENERAL SUPERINTENDENT STATE WORKS,  
GREENVILLE, August 15, 1862.*Hon. W. H. Gist, Chief of Construction and Manufacture:*

SIR: In accordance with your directions, I herewith beg leave to report that under instructions from Col. J. Chesnut, Jr., Chief of the Department of the Military, received February 25th, 1862, I purchased all the machinery and stock which was available and suitable for the purposes indicated in said instructions.

At that time, the impression prevailing that Charleston would be immediately attacked, it was deemed advisable to place it all beyond danger, so as to secure to the State the ability to manufacture such articles as might be essential to her defence, should what was in Charleston be destroyed or abandoned.

With that view, it was immediately removed to Columbia, there to await the decision of the Governor and Council as to a suitable location. After some delay in discussions and examinations, I was directed to locate the works on a tract of land donated to the State by Vardry McBee, Esq., adjoining Greenville, and directly on the line of the Greenville and Columbia Railroad. I commenced to clear the land on the 20th day of March, and erect buildings to accommodate the laborers. Prior to that period, by your direction, I established in Columbia, in the workshops connected with the "New State House," a temporary shop for repairs and alteration of small arms belonging to the State. This work was immediately commenced, and from that time has been in successful operation, repairing, altering and cleaning arms, manufacturing pikes, caissons and battery wagons, statement of which is embodied in paper No. 1 accompanying this report. At the same time, the machinists and blacksmiths were employed, until their removal here, in doing such work as was necessary to the construction of workshops in progress at this place. The unusual wet season, added to the scarcity of labor in the country, very much retarded the progress of building for want of materials, but now that the crops are laid by, and the labor of the country seeking employment, I am receiving such

as are necessary to their completion, and hope soon to have them all finished, and give my undivided attention to manufactures.

When Nashville, Tennessee, was evacuated by the Confederate authorities in April last, a part of the machinery and stock was saved from the armory, which that State had commenced to establish, and carried to Atlanta, Georgia. I opened a correspondence with Governor Harris, and found that the State of Tennessee would place at the disposal of this State all the machinery and stock saved. By direction of the Governor and Council, I proceeded to Atlanta and succeeded in obtaining it all. Governor Harris directed his agents to turn it all over to the State of South Carolina, subject to future settlement. As agent of the State I received it, and secured the services of such workmen as had been engaged in the Nashville armory and workshops, removed the machinery and stock to this place, the workmen to the shops in Columbia to be employed in altering and repairing small arms, while, at the same time, I commenced erecting a shop at these works to receive and put in operation the machinery. Paper No. 2 is an inventory of all articles received from the State of Tennessee, and I refer you to my report under date of May 1st, 1862, for the full particulars relating to that subject.

The workshop for this department is completed, the machinery set up and in operation; much of it was injured and some parts lost, in its removal from Nashville, and some had never been completed, which have been repaired, replaced and completed, and I am now making and obtaining what new machines are necessary to commence manufacturing arms.

Desirous of putting to immediate use the skilled labor brought from Atlanta with the machinery, I have necessarily been retarded in completing those shops which were necessary in carrying out the original intention of these works; that being now accomplished, it is not intended to permit the small arm factory to do so in the future, but to make that branch as far as practicable separate and distinct, the intention being to put it upon such a basis as will enable the State to manufacture arms to a limited extent at first, but so arranged that the facilities can be increased at any future time.

I have of the land donated to the State enclosed a space of six hundred by seven hundred feet, and have now erected a carpenters' shop one hundred feet by forty feet, with suitable machinery for constructing field and siege gun carriages, caissons, battery wagons, forges, sabots,



tents, and all other articles necessary for field uses. It is driven by a twenty-five horse power engine, and is in operation at present in pushing to completion our works, and will soon be used in manufacturing the articles referred to. I have erected, as before stated, a shop for the small arm machinery, one hundred by fifty feet, and have that in operation, driven by an engine of fifteen to twenty horse power. Another machine shop is completed, one hundred by fifty feet, and the machinery for the heavy work is now being placed in it, to be driven by an engine of thirty horse power now to place. I expect to have this shop in full operation in three or four weeks. The blacksmith shop, one hundred feet by fifty feet, is up and occupied, it contains eighteen forges, with space for twenty more; it is supplied with three trip hammers, nearly completed, two for welding gun barrels, and one large one for heavy smithwork generally. This shop adjoins the foundry, which is of brick, one hundred and fifteen by fifty-five feet, twenty-eight feet high; this building is all completed, but the roof has been delayed for lumber, which I am now receiving.

On the premises are also erected an office forty by twenty feet, a store house sixty by twenty-five feet, a smoke house, forty by eighteen feet, an iron receiving and store house, thirty-five by sixteen feet, a living house for negroes, sixty by sixteen feet, a hospital, three kitchens, and stables, tool house, &c.

The water arrangements, which are near completion, consist of an ample well, yielding a full supply, the water from which is forced through wooden pipes, six hundred feet in length, to the highest point of the lot, obtaining a head of forty feet; it is received in a brick reservoir containing three thousand five hundred gallons, built underground, and from thence conveyed to the various workshops. On the premises, at various points, hydrants are placed to deliver water for general purposes, but more especially for suppressing fires, which, with the aid of an excellent fire engine borrowed from the Vigilant Fire Engine Company of Charleston, will be a valuable acquisition to these works.

There are engaged at these works on this day one hundred and forty-three hands, of which fifty are white workmen.

For amount of cash received and disbursed to date, I refer you to paper No. 3.

A large number of miscellaneous arms, all of them irreparable, have been turned over to these works from the State Arsenal. Preparations

are making to put them in good condition for the use of the different branches of the service, which they may prove suitable to.

Very respectfully,

DAVID LOPEZ,

*General Superintendent State Works.*

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No. 1.—*Statement of Work done at shops in the New State House Yard, Columbia, S. C.*

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Muskets, repaired and altered to percussion.....	1620
Rifles, repaired and altered to percussion.....	213
Carbines, repaired and altered to percussion.....	2
Double-barrel guns, repaired.....	24
Bayonets.....	874
Caissons, with limbers, spare wheels and poles complete.....	6
Battery wagon, with limber.....	1
Pikes and staves.....	1000
Gunboat spikes made for Capt. D. N. Ingraham.....	4½ tons

STATE WORKS, GREENVILLE, S. C., August 15th, 1862.

No. 2.—*Inventory of Machinery, Tools and Stock of Tennessee Armory, Atlanta, March, 1862.*

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1	Hand Lathe.	
1	.6 foot Engine Lathe, complete.	
1	10½ " " " "	
1	14 " " "	unfinished and under construction.
1	12 " " "	complete.
1	10 foot set of Ways.	
1	Breeching Machine.	
1	Milling Machine, incomplete.	
1	Compound Planer, complete.	
1	Drill Press, complete.	
1	Planer without table.	
1	8 Spindle Drill Press, complete.	
	Parts of Profiling Machine.	
1	Punch and Shear, complete.	
1	Bolt Header and Dies, incomplete.	
1	Gear Cutter, complete.	
7	Arbors or Boring Bars.	
10	Sets Overhead rig, complete.	
6584	lbs. Shafting and Pulleys.	
1	(Old man) Drill Stand.	
3	Hangers for Counters (casting), 103 lbs. to 309 lbs.	
17	" " Main Shafting, 1,571 lbs.	
5	" (without boxes) 51 lbs. to 255 lbs.	
1	Overhead rig for Gear Cutter, complete.	
5	Legs for Drill Lathes, 36 lbs. to 180 lbs.	
	Parts of old Milling Machine, 995 lbs.	
1	Grind Stone Frame, complete, 374 lbs.	
3	Polishing Heads, complete.	
2	Rifling Rolls and Stands.	
1	Fixture for holding barrels to mill cone seats.	
	Parts of Lathes (some work done), cast iron, 101 lbs.	
17	Bench Vices, wrought iron, 965 lbs.	
5	" " cast iron, 261 lbs.	
	Wire, all sizes, some cast steel, 181 lbs.	
	Cast Steel, 6,600 lbs.	
	Blister Steel, 450 lbs.	
	Block Tin, 80 lbs.	

*Inventory of Machinery, Tools and Stock.—Continued.*

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- Brass and Copper, 170 lbs.
  - 1 Gig for Lock Frames Drilling.
  - 5 Hack Saws.
  - 12 Gig Saws.
  - 2 Hack Saw Frames.
  - 18 Doz. Gun Wipers.
  - 1 Stand for Drilling Ramrods.
  - 6 Sets Stocks and Dies.
  - 134 Taps, all sizes, from  $1\frac{1}{4}$  to 1 1-16.
  - 1 Case Drafting Tools.
  - 1 Alphabet.
  - 1 Set Figures.
  - 1 2 feet Standard Scales.
  - 1 Gig and Mill for Stirrups.
  - 1 Gig and Mill for Main Spring Pivots.
  - 1 Ratchet Drill.
  - 19 Dogs.
  - 50 Bench Hammers.
  - 40 Monkey Wrenches.
  - 7 Draw Knives.
  - 19 Iron Braces.
  - 34 Hand Vices (16 with handles).
  - 106 Screw Drivers.
  - 30 Pairs Pliers.
  - 462 Sheets Sand Paper.
  - 280 " Emory "
  - 43 Bits.
  - 1 Patent Brad Awl.
  - 2 " " and Handles.
  - 14 Chisel Handles.
  - 3 Smooth Planes.
  - 1 Jack Plane.
  - 103 Cones (small).
  - 300 " (Government).
  - 1 Gig for Filing Tumblers.
  - 1 Stamp, "Tennessee Armory."
  - 1 Hand Saw.
  - 1 Copying Press.

*Inventory of Machinery, Tools and Stock.—Continued.*

- 
- 1 Gun Gauge, brass.
  - 110 Drills.
  - 18 Leamers.
  - 25 Rose Bits.
  - 11 Cherries.
  - 14 Drill Sockets.
  - 2 Tumbler Punches.
  - 2 " Mills.
  - 10 Counter Boxes.
  - 5 Boring Arbors.
  - 12 Cast Steel Centres for New Lathes.
  - 6 Rests for Lathes.
  - 2 Drill Sockets.
  - 1 6 in. Fairman Chuck.
  - 1 Set Mills for Milling Tumblers, 5 in. set.
  - 1 " " " " Lock Frame, 14 in. set (top and bottom).
  - 1 " " " " Main Springs, 5 in. set (sides).
  - 1 " " " " not finished, 11 in. set (top and bottom).
  - 7 Plain Mills.
  - 1 Mill for Key Seats.
  - 15 Unfinished Mills.
  - 8 Arbors for Milling Machine.
  - 12 Sets Jaws for Milling Machine (two sets cast steel).
  - 5 Handles and Stands for Milling Machines.
  - 4 Sets Jaws " " "
  - 2 " Jumpers and Dies for forging Tumblers.
  - 17 Hand Tools and Handles.
  - 62 Turning Tools (Engine Lathe).
  - 1 Index Head.
  - 11 Tap and Breeching Wrenches.
  - 2 Knees for Planers.
  - 6 Emory Wheels.
  - 40½ lbs. Sheet Brass.
  - 2 Stands and Tools for percussioning old guns.
  - 2 Papers Brads.
  - 3 Gross Screws,  $\frac{1}{8}$ .
  - 35 lbs. Small Nuts.
  - 12 Bench Brushes.



*Inventory of Machinery, Tools and Stock.—Continued.*

- 
- 15 Cone Wrenches.
  - 75 Back Action Locks.
  - 60 Common Locks (Rifle).
  - 4 Old Musket Locks.
  - 20 Sets Triggers for Rifles.
  - 65 Machine Oilers.
  - 35 Tin Lamps.
  - 74 Paint Brushes.
  - 4 Striping Brushes.
  - 7 Parallel stripes for Planers.
  - 56 Tumbler Pins (turned).
  - 12 Lathe Wrenches.
  - 1 Grindstone Shaft (turned).
  - 1 Lot Bolts and Nuts.
  - 1 Chuck for holding Lock Frame to take cut on sides.
  - 2 Soldering Irons.
  - 1 Clamp and Cutter for Cherries.
  - 49 Main Springs for repairing Old Guns.
  - 140 Lock Frames, milled.
  - 33 Strips for Stirrups (cast steel).
  - 20 Bench Oil Pots.
  - 70 lbs. Babbit and Type Metal.
  - 35 lbs. Lead (old pipe).
  - 400 Ferrules for File Handles.
  - 628 Musket Flints.
  - 1 Jumper Stand for forging Locks.
  - 2 Sets Jumper Stands for forging Locks.
  - 1 " " " " " Triggers.
  - 2 " " " " " small work.
  - 1 Roll File Card.
  - 1 Tin Box for small articles.
  - 3 Pieces Lace Leather.
  - 2 Gig Saws.
  - 2 Pieces Sheet Steel.
  - 6 Pairs Strap Hinges.
  - 9 Drawer Locks.
  - 150 Carriage Bolts, 2 to 6 in.
  - 1 Counter Shaft (turned, 30 lbs).

- 6 Oil Stones.
- 13 Anvils, 105 to 150 lbs.
- 6 Blacksmith's Sledges.
- 25 pr. " " Tongs.
- 8. " " Set Hammers.
- 9 " " Swedges.
- 19 " " Chisels.
- 1 Level.
- 7 Screw Plates.
- 8 Steel Punches.
- 4 prs. Fullers.
- 3 Hand Hammers.
- 2112 ft. New Leather Belting, assorted sizes, 1 to 12 in.
- 507½ " Old " " " " 2 to 13½ in.
- 63 " Gum Belting, 3¼ and 6 in.
- 9 doz. Gun Wipers.
- 7 gross Knitting Pins, 11s to 14s.
- 10 papers Finishing Nails, 1 to 2½ in.
- 4¼ lbs. Beeswax.
- 78 87-144 gross assorted Gimlet Screws.
- 348 9-12 doz. assorted Files.
- 43 patterns for parts of Machines and tools.
- 8 doz. Chisel Handles and 1 lot Core Boxes for patterns.
- 500 lbs. Emory.

No 3—*Statement of Cash received and expended*

Received from Treasury Department to date.....	\$82,539 92
“ “ J. M. Eason, Superintendent, for iron furnished him for Gunboat.....	518 11
“ “ Capt. D. H. Ingraham, for spikes for Gunboat.....	1,766 06
	<hr/>
	\$84,824 09
Paid for Machinery and Tools.....	\$18,946 01
“ Building Materials.....	5,617 44
“ Stock.....	29,350 92
“ Provisions.....	6,001 40
“ Salaries and Pay Rolls.....	19,634 06
“ Incidental expenses.....	1,764 94
Balance on hand.....	3,509 32
	<hr/>
	\$84,824 09

STATE WORKS, GREENVILLE, S. C., August 15th, 1862.

## RESOLUTION

In relation to the admission of non-slaveholding States.

*Resolved*, That this Convention having, at its present sessions, sufficiently expressed its views in relation to the admission of non-slaveholding States into the Confederacy, and regarding the powers and duties of the Confederate Government, and having undergone no change of sentiment in relation thereto, deem it unnecessary to enunciate any further expression of opinion touching the same.

## REPORTS OF THE COMMITTEE ON THE CONSTITUTION.

The Committee on the Constitution, to whom was referred "An Ordinance to repeal an Ordinance to suspend certain parts of the Constitution of the State of South Carolina," report :

That they have considered the same, and deem any action on the subject inexpedient, and they, therefore, recommend that the Ordinance be not adopted.

Respectfully submitted,

D. L. WARDLAW,  
*Chairman.*

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The Committee on the Constitution, to whom was referred an Ordinance to amend the thirteenth section of the first Article of the Constitution, report :

That they have carefully considered the same, and without expressing any opinion on the merits of the principle of the measure proposed, they deem it inexpedient, at present, to act upon the subject, and they therefore recommend that the Ordinance do not pass.

Respectfully submitted,

D. L. WARDLAW,  
*Chairman.*



## REPORT OF THE SPECIAL COMMITTEE OF TWENTY-ONE.

The Committee to whom was referred the communication of his Excellency the Governor, transmitting the record of all the proceedings of the Governor and Council, had prior to the present session of the Convention, together with the reports of the several members of the Council, and certain military correspondence between his Excellency and the President of the Confederate States, the Generals commanding the army in this State, and other persons, respectfully report :

That the matter thus referred has received the careful consideration which its importance demands. The Committee have discovered nothing in the proceedings of the Governor and Council which seems to them to require any special action on the part of the Convention in the way of repeal, modification or animadversion ; while it is not designed hereby to express an approval of all these proceedings. The duties, growing out of the exigencies of public affairs, which have devolved upon the members of the Council, have been, exceedingly various and laborious, and have been discharged with signal diligence, ability and success, and, in the judgment of your Committee, with an exclusive regard to the public welfare. These gentlemen have, as their record shows, devoted themselves at great personal sacrifice, and, too often, amidst discouragements (the causes of which are unfolded in some of the reports) mortifying to the patriot, to meet the extraordinary demands which the peculiar condition of the State has made upon the Executive authority. The defence of Charleston and of the entrance to Georgetown ; the survey and exploration of sundry routes of access for the enemy to the interior of the State, and the obstruction of such access thereby ; the efficient reorganization of the military when once and again thrown into confusion by the action of the Confederate Government ; the procurement and distribution of arms and munitions of war, ordnance and ordnance stores, clothing and provisions and medical stores for the soldiers ; the organization of negro labor, when called for by the military authorities of the Confederate States, with a view to render the service required as acceptable as possible to the public ; the preservation of internal order and the repression of those various exhi-

bitions of selfishness which imperil the public safety; with a great variety of other subjects of public concern, have in turn engaged their attention and enlisted their labors. By the services which they have thus rendered, they have placed the State under obligations which those only can appreciate who have had the opportunity of examining their records. In the discharge of their duties they have been greatly aided by sundry public spirited and patriotic gentlemen, who are named in the several reports of the Chiefs of Departments, and to whom the public acknowledgments of the Convention are due.

Your Committee have, by their examination of these papers, been deeply impressed with the conviction that the ordinary powers of the Executive would have been entirely inadequate to effect the objects to which the labors of the Council have been directed, and that the establishment of such a body, with the extraordinary powers conferred upon it, was required by the condition of the country and the exigencies of the times.

Your Committee are of opinion that the publication and circulation of the several reports of the Chiefs of Departments which have been submitted, are due to the people, the Convention and the Council, and they so recommend, with the reservation, however, to the Chief of the Military Department of the right to revise his report and omit such portions as, in his judgment, it might be impolitic to make public. In advising the publication and circulation of the report from the Department of Justice and Police, the Committee do not design to express any opinion upon the question whether any limitation can be imposed upon the power of a Convention of the People assembled under our State Constitution by the Act of the Legislature which calls it together. Into this question it is needless now to enter, for it seems plain to the Committee that every act of this Convention and of those who have acted under its authority, which is mentioned in the report from this Department, is embraced within the scope of the Act of the Legislature which provided for the election of Delegates to this Convention. The arguments contained in this report, especially those in Part I., sustaining this construction of the Act and the competency of the Convention, the Council and the several heads of Departments to do the acts done by them respectively, and examined in the said report, command the approval of the Committee, and, the Committee hope, will receive the concurrence of the Convention.

The Committee report back to the Convention the military correspondence referred, with a recommendation that so much thereof as is

specified in the class marked 4 in the enumeration of the sub-committee's report, be read in the presence of the Convention, sitting with closed doors. The character of this correspondence is such as, in the judgment of the Committee, renders the general publication of it improper.

The Committee are of opinion that it would conduce much to the satisfaction of the public mind, and tend to harmonize conflicting views of State policy, if "the records of the proceedings of the Governor and Council," as contained in their book of minutes, could be printed and widely circulated and read, but they are deterred from making a recommendation to this effect by the great extent of this record, and the consequent expense which its publication would involve. The Committee, therefore, content themselves with advising that the injunction of secrecy be removed therefrom, and this record be open to the inspection of the citizens of the State in any manner that will not interfere with the convenience of the Governor and Council.

The several matters referred to your Committee were, for convenience and expedition, distributed to sub-committees, the several reports of which sub-committees are herewith submitted to the Convention.

Respectfully submitted,

R. W. BARNWELL.

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#### REPORT OF THE SUB-COMMITTEE ON THE JOURNAL OF THE EXECUTIVE COUNCIL.

The sub-committee on the Journal of the Executive Council respectfully report, that they have carefully gone over the whole Journal, and have seen abundant reason in the record of the proceedings of the Council, to be satisfied that they have discharged the duties assigned them with great industry and fidelity, and with exclusive regard to the welfare of the State. It is also apparent, from the proceedings of the Council, that the ordinary powers of the Executive would have been entirely inadequate to effect the objects to which the labors of the Council have been devoted, and that the establishment of such a body, with the extraordinary powers conferred upon it, was required by the condition of the country, and the exigencies of the times. The Committee see no reason why the proceedings of the Council should not be

made public, but they are too voluminous to be printed, and it will probably be sufficient that the injunction of secrecy shall be removed.

R. W. BARNWELL, Chairman,

A. MAZYCK,

G. MANIGAULT,

H. C. YOUNG,

J. J. PRINGLE SMITH.

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### REPORT OF THE SUB-COMMITTEE ON "CORRESPONDENCE."

The sub-committee to whom was referred the subject of "Correspondence," beg leave respectfully to report:

That the Correspondence consists of the following, to wit:

1. Two letters between Governor Pickens and the Secretary of War, on the subject of the right to fill vacancies in the South Carolina Regulars.

2. Several communications between the Governor and the Secretary at War, and others, in relation to seven hundred stand of arms, belonging to the State, but now in the Confederate army, in Virginia.

3. Correspondence between Governor Pickens and the Governors of other Confederate States, in relation to concert of action between the Executives of the several States.

4. Correspondence between Governor Pickens and the Executive of the Confederate Government, and also with Generals Lee, Ripley and Pemberton, in relation to the defences of Charleston and Georgetown, numbered from eight to nineteen inclusive.

This last correspondence the sub-Committee recommend should be read in the General Committee, and should also be read in Convention, in secret session, for the information of the members, but that it should not be printed.

Respectfully submitted,

BENJ. F. DUNKIN, Chairman,

JOHN A. CALHOUN,

EDWARD McCRADY,

JOHN P. RICHARDSON.



REPORT OF THE SUB-COMMITTEE ON THE REPORT OF  
THE CHIEF OF THE DEPARTMENT OF THE MILITARY.

The sub-committee to whom was referred the report of the Chief of the Department of the Military, with the accompanying documents, respectfully report:

The matter thus referred has been considered with the care which its importance demands, and nothing has been discovered which seems to the Committee to require the interference of the Convention. The duties which, in the distribution of the business of the Executive Office, were assigned to this Department, appear to have been exceedingly onerous, but they have been discharged with signal industry; ability, regard to economy and a large measure of success, at a great sacrifice of time, comfort and money on the part of the Chief, and often under circumstances of great discouragement, the causes of which are exhibited in the report. The thanks of the Convention and of the State are, in the judgment of the Committee, eminently due to the Chief of the Department and to his subordinates in office, as well as to the several gentlemen, named in the report, who have patriotically rendered their valuable aid in several particulars to this branch of the public service.

The Committee are of the opinion that the report and such of the accompanying documents as are contained in the printed pamphlet ought to be published for the information of the people, subject, however, to a revision by the Chief of the Department, with a view to the omission of such passages (which have been the subject of conversation between the Chief and the sub-Committee), the publication of which might in his judgment be of even doubtful effect upon the public interest, and it is so recommended.

Respectfully submitted,

JOHN A. INGLIS, Chairman.

W. F. DESAUSSURE,

JOHN L. MANNING.



## REPORT OF THE SUB-COMMITTEE ON THE REPORT OF THE CHIEF OF THE DEPARTMENT OF JUSTICE AND POLICE.

The sub-committee, to whom was referred the report made by the Chief of the Department of Justice and Police to the Governor and Executive Council, beg leave to report, that they have carefully read and considered the whole report aforementioned, and recommend that printed copies of it be widely circulated.

Upon the question whether any limitation can be imposed upon the power of a Convention of the People, assembled under our State Constitution by the Act of the Legislature which calls it together, the sub-committee forbear the expression of any opinion. Into this question it is needless now to enter, for it seems plain to your sub-committee that every Act of this Convention, and of those who have acted under its authority, which is mentioned in the report under consideration, is embraced within the scope of the Act of the Legislature, which provided for the election of delegates to this Convention. The arguments contained in the report, especially those in Part I., sustaining this construction of the Act and the competency of the Convention, the Council, and the several heads of Departments, to do the acts done by them respectively, and examined in the said report, command the approval of your sub-committee.

In reference to one or two of the acts of the Governor and Council, or of the Chief of the Department of Justice and Police, doubts as to their expediency, affecting rather form than substance, might be suggested; but of expediency under the circumstances which attended the acts, the report under consideration, without the journal and papers of the Council, and without any explanations from those who acted, does not enable your sub-committee fairly to judge. As to the competency of the authority for every act done, the majority of your sub-committee entertain no doubt.

Respectfully submitted,

D. L. WARDLAW; Chairman,  
J. P. CARROLL.

Mr. John Phillips dissents.

REPORT OF THE SUB-COMMITTEE ON THE REPORT OF  
THE CHIEF OF THE DEPARTMENT OF TREASURY AND  
FINANCE.

The sub-committee of the Committee of Twenty-one, to whom was referred the "Report of the Chief of the Department of Treasury and Finance," beg leave respectfully to report, that they have performed the duty assigned them, and find that the affairs of this Department have been managed with great fidelity and accuracy.

All the books and vouchers have been carefully examined, and the accounts found to be correct and eminently satisfactory.

R. B. RHETT, Chairman,  
THOMAS Y. SIMONS,  
WM. D. JOHNSON.

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REPORT OF THE SUB-COMMITTEE ON THE REPORT OF  
THE CHIEF OF THE DEPARTMENT OF CONSTRUCTION  
AND MANUFACTURE.

The sub-committee to whom was referred the report of the Chief of the Department of Construction and Manufacture, with the accompanying papers, respectfully report:

That they have examined that report, the report of the General Superintendent of the State Works, and the accounts therein referred to; from which it appears that very commendable progress has been made in establishing a foundry and armory at Greenville Court House, on behalf of the State. It is said in the report that by the 1st of October next the Works will be in condition to cast shot and shell, and soon afterwards to cast cannon, but not to make small arms for six months afterwards, unless the emergency of the service should require them sooner, which could be done by multiplying labor at increased expense.

It is not contemplated to establish a first class armory, but upon a scale commensurate with State means, which may be increased if necessity should require it hereafter.

The whole amount put down as charged to this Department, up to the 15th of August, is \$95,212 02. This amount includes many

items not properly belonging to this Department, making in the aggregate \$11,636. The vouchers for the payments have been submitted to the Committee, and on examination found correct.

All of which is respectfully submitted,

September 10, 1862.

SIMEON FAIR,  
SIMPSON BOBO,  
P. E. DUNCAN.

## REPORTS OF COMMITTEE ON ACCOUNTS.

The Committee on Accounts, to whom was referred the account of the Proprietor of the Carolina Spartan, for publishing sundry Resolutions of Governor and Council, on various subjects, ask liberty respectfully to be discharged from the consideration of the same; and that it be referred to the Governor and Council, as particularly appertaining to their department.

ROBERT T. ALLISON, *Chairman.*

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The Committee on Accounts, to whom was referred the account of the Proprietor of the Carolina Spartan, for publishing the different Proclamations of the President for calling the Convention at sundry times from December the 6th, 1860, up to the 4th of September, 1862, amounting to \$23 84, report, that they have examined the same, and recommend that the said sum of \$23 84, be paid; and that the balance in said account, of \$5 99 for publishing the Resolutions in relation to the distillation of spirits, &c., be referred to the Governor and Council.

All of which is respectfully submitted,

ROBERT T. ALLISON, *Chairman.*

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The Committee to whom was referred the account of C. P. Pelham, for publishing the Proclamation for the assembling of the Convention, and advertising Ordinances of said Convention, report, that they have examined the same and recommend that the said account be paid.

All of which is respectfully submitted,

ROBERT T. ALLISON, *Chairman.*

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The Committee on Accounts, to whom was referred the account of the Editor of the Yorkville Enquirer, report, that they have examined the same, and recommend that the said account of \$7 25, for publishing the Proclamation of the President of the Convention for a call of the Convention in 1861 and 1862, be paid.

All of which is respectfully submitted,

ROBERT T. ALLISON, *Chairman.*

The Committee on Accounts, to whom was referred the account of the South Carolinian for advertising, report, that they have examined the said account, and recommend that the sum of \$15, as stated in said account, be paid.

All of which is respectfully submitted,

ROBERT T. ALLISON, *Chairman.*

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The Committee on Accounts, to whom was referred the account of R. H. Grenaker, of Newberry, for publishing the proclamation convening the Convention, amounting to \$4 50, respectfully report, that they have examined the same, and recommend that the same should be paid.

R. T. ALLISON, *Chairman.*

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The Committee on Accounts, to whom was referred the account of Theo. Stark, for preparing the Hall of the House of Representatives for the meeting of the Convention, report, that they have examined the same, and recommend that the said account, of \$25, be paid.

All of which is respectfully submitted,

R. T. ALLISON, *Chairman.*

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The Committee on Accounts, to whom was referred the report of the Central Secretary to the Beaufort Commission for the removal of negroes and other property, respectfully report, that the amount advanced is correctly stated, and the liens properly executed and recorded, as therein set forth.

Respectfully submitted,

ROBERT T. ALLISON, *Chairman.*

September 15, 1862.



## REPORT OF THE COMMITTEE ON ENGROSSED ORDINANCES.

The Committee on Engrossed Ordinances, to whom it was referred to consider and report whether there are any portions (and what portions specially) of the Journal, Resolutions and Ordinances of the former Sessions of this Convention, which cannot yet safely be made public, and also as to the propriety of printing the proceedings of this body, respectfully report :

That they have duly considered the same, and on a careful examination, find that the injunction of secrecy has already, in the main, been removed from the various transactions of the previous sessions of this body, with the exception of four subjects, to which they invite the attention of the Convention, as follows :

1. An Ordinance, adopted on the 8th day of April, A. D. 1861, authorizing the Governor, at his discretion, to subscribe to the proposed Confederate loan, an amount not exceeding the estimated claim of the State of South Carolina against the Confederate Government, for the expenses incurred for the military defence of the State, and for the cost of the arms and munitions of war which may be transferred by the State to the Confederate Government.

2. The debates of this Convention, on the adoption of the Constitution of the Confederate States of America.

3. An Ordinance to provide for the removal of negroes and other property from portions of the State which may be invaded by the enemy. By this Ordinance, a commission is established for the Districts of Horry, Georgetown, Charleston, Colleton and Beaufort, and it is therein enacted that whenever, by reason of the proximity of the enemy, or in the view of the Commanding General of the Confederate forces, or of the commission, the public interests should require the removal of the slaves within these Districts, the said commission are empowered and directed so to do, and to make proper provision for their support and maintenance.

4. The Report and Resolutions of Special Committee No. 2, in relation to the proper action of the State, in case valuable portions of her territory should be pronounced untenable by the military authorities.

The Report expresses in strong terms the opinion, that the city of Charleston should be defended at all cost, whether of property or life, and to the last extremity; and while opposing any idea of its abandonment, denies, in case of repulse, the propriety of its destruction by

the hands of its own citizens irrespective of the command of the military authorities. The resolutions appoint a commission for the city of Charleston, and extend the terms of the previous Ordinance to the removal of those persons from the city, who, by reason of age, sex or infirmity, were incapable of taking part in its defence.

Your Committee have stated, generally, the purport and nature of these Ordinances and Resolutions, as they are the only matters of any importance, on which the seal of secrecy still remains.

The Ordinances in relation to the removal of negro property from Districts likely to be invaded, and of defenceless citizens from the commercial metropolis of the State, have already, under the direction of this Convention, been communicated to the Commissioners appointed, and by them to the various persons interested, and have thus gradually been diffused through the different sections in which they were intended to operate.

An incursion into these Districts and an attack upon the City of Charleston was, at the time of their passage, deemed imminent, and it was thought that a sudden public announcement of the course adopted by this body, at a period when the mind of the people was scarcely prepared for it, might create excitement, and, perhaps, somewhat of confusion, or panic. It was therefore regarded as the better and more efficient plan, that the same should be communicated by degrees through the action of the Commissioners, and by the information extended by them to the parties concerned, from time to time, as circumstances and the occasion required. This has been done, and your Committee now see no reason why the seal of secrecy may not be entirely broken and these Ordinances and Resolutions be published, without detriment to the State. They can afford no light to the enemy, while they show the determination of our people to defend their soil at every hazard, and to remove their property beyond the reach of any foe. The peculiar state of affairs which required their hitherto secrecy, in the judgment of your Committee no longer exists.

The only remaining subject is in reference to the debates had in this body on the adoption of the Constitution of the Confederate States of America, and of which there never was any record, official or otherwise, so far as your Committee is informed. They exist, therefore, alone in memory, at best an uncertain guide, and there remains no standard by which with accuracy what was said or occurred may now be determined.

Entitled as this is to some weight, yet the Committee would not be

thereby deterred from recommending that these, with the other proceedings of this body, be communicated to the public mind, were it not for the following consideration.

It will be remembered that the greater part of these debates consisted of statements made by the Delegates of this State, as to what transpired in the Convention held at Montgomery, in the State of Alabama, and which framed the Constitution.

That Convention sat with closed doors. The debates there had were under the injunction of secrecy, but with the privilege to the various Delegates to communicate their purport to their respective State Conventions, but likewise in secret session.

The injunction thus imposed has not been removed from the debates of the Convention assembled at Montgomery, and your Committee are therefore of opinion that this Convention having received and heard these statements on the condition, and under the circumstances above specified, that any action on its part ought not to precede, but depend on and follow that of the body from whom these statements emanated. So far as the acts and proceedings of this Convention are concerned, they perceive nothing which it is now incompatible with the public interest or safety to disclose.

It has been thought by some of the Committee that attention should be called to a letter from Mr. Maxey Gregg, a member of this body, in relation to the action of the Convention on the adoption of the "Ordinance to strengthen the Executive Department during the exigencies of the present war." After the Ordinance had been adopted, it appears from the minutes, that the President announced that he had received a communication from Mr. Gregg in reference to the vote which he would have given if present. This letter was not read, but, on motion of Mr. D. L. Wardlaw, was received and ordered to be spread on the journal. The letter is of some length, and not only intimates the vote which would have been given, but refers to matters which have never been before this body for its consideration. It is therefore recommended that the order to spread the letter upon the journal be rescinded, and that the letter be filed with the proceedings of this body, and that the injunction of secrecy be removed therefrom.

The subject of publication having been also referred, the presence of the Committee on Printing was requested, and a conference had, the result of which will appear in the resolutions hereafter appended.

Your Committee therefore recommend for the adoption of the Convention, the following resolutions :

1. *Resolved*, That the injunction of secrecy be removed from all the transactions of this Convention, at its previous sessions, except in relation to the debates on the Constitution of the Confederate States of America.

2. *Resolved*, That as soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of Delegates, lately assembled at Montgomery, the injunction of secrecy shall likewise be removed from the debates of this Convention, on the Constitution of the Confederate States of America.

3. *Resolved*, That it shall be the duty of the Printer of this Convention to print two thousand (2,000) copies of the journal, public and secret, and of the Ordinances, Reports, Resolutions and transactions of this Convention at its previous sessions, and to deposit them on or before the 1st day of November ensuing, or as soon thereafter as practicable, with the Clerk of this Convention, and that the same be distributed by him as follows: For the Executive, ten copies; for the Legislative Library of the Confederate Congress, ten copies; for the Legislative Library at Columbia, ten copies; for the Libraries of the Court of Appeals at Columbia and Charleston, each ten copies; for the members of the Convention and members of the ensuing General Assembly of the State, each five copies; for the Governors of the several Confederate States, each one copy; for the Chief Justice and Associate Justices of the Court of Appeals, each one copy; for the College and various public Libraries in the State, each one copy; for the Attorney General, Solicitors, Secretary of State, Surveyor General, and Treasurers of the Upper and Lower Division, each one copy for the use of their respective offices. That the residue be distributed under the direction of the President of this Convention, and that the Clerk of this Convention, for this considerable addition to his labors, be paid the sum of two hundred dollars.

All of which is respectfully submitted,

THOMAS Y. SIMONS,

*Chairman Committee.*



REPORT OF THE COMMITTEE ON THE CONSTITUTION,  
On a Resolution directing inquiry as to matters now requiring modification or repeal.

The Committee on the Constitution, to whom was referred a resolution directing them to inquire and report whether there are any Ordinances or changes in the fundamental Constitution enacted by this body, which should now be modified or repealed, beg leave to report:

That they have with care examined the subject committed to them, and although the time taken by them has been short, they believe that they have attained accurate conclusions.

In the Constitution of the State of South Carolina, as ratified in this Convention, April 8th, 1861, there is nothing which now requires the attention of the Convention besides the particulars mentioned in the Ordinance herewith submitted; nor is there any such thing in the Ordinances and resolutions of the Convention, adopted at either of its two first sessions, beginning respectively in December, 1860, and April, 1861.

To the proceedings of the Convention, had at its third session, beginning December 26, 1861, special attention should now be paid; and as none of the Ordinances or resolutions of the Convention can be subject to the control of the ordinary legislation, without permission given by a Convention, or by the other powers provided by the Constitution for amending the Constitution; and as some of the Ordinances and resolutions of the third session are, in their nature, dependent on circumstances liable to change, and should be subject to the discretion of the Legislature.

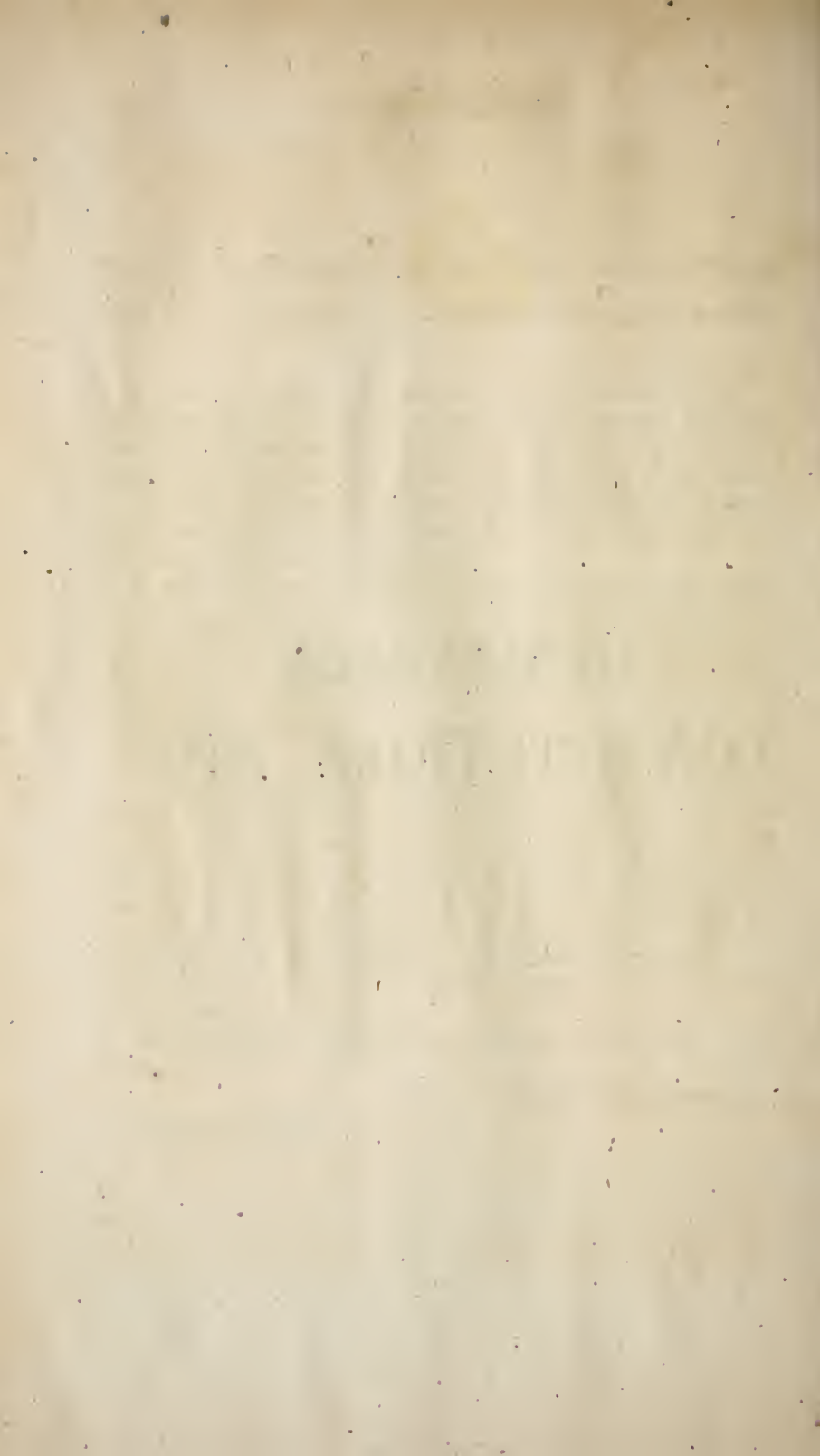
Your Committee recommend the adoption of the accompanying Ordinance.

D. L. WARDLAW, *Chairman.*

September 17, 1862.



ORDINANCES,  
CONSTITUTIONS, ETC.



## ORDINANCES.

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### THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the twentieth day of December, in the same year.

### AN ORDINANCE

TO DISSOLVE THE UNION BETWEEN THE STATE OF SOUTH CAROLINA AND OTHER STATES UNITED WITH HER UNDER THE COMPACT ENTITLED "THE CONSTITUTION OF THE UNITED STATES OF AMERICA."

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That the Ordinance adopted by us in Convention, on the twenty-third day of May, in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and also all Acts and parts of Acts of the General Assembly of this State, ratifying amendments of the said Constitution, are hereby repealed; and that the Union now subsisting between South Carolina and other States, under the name of "The United States of America," is hereby dissolved.

Done at Charleston, the twentieth day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *Del. from Barnwell, and President Convention.*

THOS. CHILES PERRIN,

JOHN IZARD MIDDLETON,

EDW. NOBLE,

BENJAMIN E. SESSIONS,

J. H. WILSON,

J. N. WHITNER,

THOS. THOMSON,

JAMES L. ORR,

DAVID LEWIS WARDLAW,

J. P. REED,

JNO. ALFRED CALHOUN,

R. F. SIMPSON,

BENJAMIN FRANKLIN MAULDIN,	THOS. W. BEATY,
LEWIS MALONE AYER, Jr.,	WM. J. ELLIS,
W. PERONNEAU FINLEY,	R. L. CRAWFORD,
J. J. BRABHAM,	W. C. CAUTHEN,
BENJ. W. LAWTON,	D. P. ROBINSON,
JNO. MCKEE,	H. C. YOUNG,
THOMAS W. MOORE,	H. W. GARLINGTON,
RICHARD WOODS,	JOHN D. WILLIAMS,
A. Q. DUNOVANT,	W. D. WATTS,
JOHN A. INGLIS,	THOS. WIER,
HENRY McIVER,	H. I. CAUGHMAN,
STEPHEN JACKSON,	JOHN C. GEIGER,
W. PINCKNEY SHINGLER,	PAUL QUATTLEBAUM,
PETER P. BONNEAU,	W. B. ROWELL,
JOHN P. RICHARDSON,	CHESLEY D. EVANS,
JOHN L. MANNING,	WM. W. HARLLEE,
JOHN J. INGRAM,	A. W. BETHEA,
EDGAR W. CHARLES,	E. W. GOODWIN,
JULIUS A. DARGAN,	WILLIAM D. JOHNSON,
ISAAC D. WILSON,	ALEX. MCLEOD,
JOHN M. TIMMONS,	JOHN P. KINARD,
FRANCIS HUGH WARDLAW,	ROBERT MOORMAN,
R. G. M. DUNOVANT,	JOSEPH CALDWELL,
JAMES PARSONS CARROLL,	SIMEON FAIR,
WM. GREGG,	THOMAS WORTH GLOVER,
ANDREW J. HAMMOND,	LAURENCE M. KEITT,
JAMES TOMPKINS,	DONALD ROWE BARTON,
JAMES C. SMYLY,	WM. HUNTER,
JOHN HUGH MEANS,	ANDREW F. LEWIS,
WILLIAM STROTHER LYLES,	ROBT. A. THOMPSON,
HENRY CAMPBELL DAVIS,	WILLIAM S. GRISHAM,
JNO. BUCHANAN,	JOHN MAXWELL,
JAMES C. FURMAN,	JNO. E. FRAMPTON,
P. E. DUNCAN,	W. FERGUSON HUTSON,
W. K. EASLEY,	W. F. DESAUSSURE,
JAMES HARRISON,	WILLIAM HOPKINS,
W. H. CAMPBELL,	JAMES H. ADAMS,
T. J. WITHERS,	MAXCY GREGG,
JAMES CHESNUT, Jr.,	JOHN H. KINSLER,
JOSEPH BREVARD KERSHAW,	EPHRAIM M. CLARKE,

ALEX. H. BROWN,  
 E. S. P. BELLINGER,  
 MERRICK E. CARN,  
 E. R. HENDERSON,  
 PETER STOKES,  
 DANIEL FLUD,  
 DAVID C. APPLEBY,  
 R. W. BARNWELL,  
 JOS. DAN'L POPE,  
 C. P. BROWN,  
 JOHN M. SHINGLER,  
 DANIEL DUPRE,  
 A. MAZYCK,  
 WILLIAM CAIN,  
 P. G. SNOWDEN,  
 GEO. W. SEABROOK,  
 JOHN JENKINS,  
 R. J. DAVANT,  
 E. M. SEABROOK,  
 JOHN J. WANNAMAKER,  
 ELIAS B. SCOTT,  
 JOSEPH E. JENKINS,  
 LANGDON CHEVES,  
 GEORGE R. RODES,  
 A. G. MAGRATH,  
 WM. PORCHER MILES,  
 JOHN TOWNSEND,  
 ROBERT N. GOURDIN,  
 H. W. CONNER,  
 THEODORE D. WAGNER,  
 R. BARNWELL RHETT,  
 C. G. MEMMINGER,  
 GABRIEL MANIGAULT,  
 JOHN JULIUS PRINGLE SMITH,  
 ISAAC W. HAYNE,  
 JNO. H. HONOUR,  
 RICH'D DETREVILLE,  
 THOS. M. HANCKEL,  
 A. W. BURNET,

THOS. Y. SIMONS,  
 L. W. SPRATT,  
 WILLIAMS MIDDLETON,  
 F. D. RICHARDSON,  
 B. H. RUTLEDGE,  
 EDWARD MCCRADY,  
 FRANCIS J. PORCHER,  
 T. L. GOURDIN,  
 JOHN S. PALMER,  
 JOHN L. NOWELL,  
 JOHN S. O'HEAR,  
 JOHN G. LANDRUM,  
 B. B. FOSTER,  
 BENJAMIN F. KILGORE,  
 JAS. H. CARLISLE,  
 SIMPSON BOBO,  
 WM. CURTIS,  
 H. D. GREEN,  
 MATTHEW P. MAYES,  
 THOMAS REESE ENGLISH, Sr.,  
 ALBERTUS CHAMBERS SPAIN,  
 J. M. GADBERRY,  
 J. S. SIMS,  
 WM. H. GIST,  
 JAMES JEFFERIES,  
 ANTHONY W. DOZIER,  
 JOHN G. PRESSLEY,  
 R. C. LOGAN,  
 FRANCIS S. PARKER,  
 BENJ. FANEUIL DUNKIN,  
 SAMUEL TAYLOR ATKINSON,  
 ALEX. M. FORSTER,  
 WM. BLACKBURN WILSON,  
 ROBERT T. ALLISON,  
 SAMUEL RAINEY,  
 A. BAXTER SPRINGS,  
 A. I. BARRON,  
 ARTEMAS T. DARBY.

Attest: B. F. ARTHUR, *Clerk.*



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the twenty-second day of December, in the same year.

## AN ORDINANCE.

To alter the Constitution of the State of South Carolina, in respect to the Oath of Office.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That the Fourth Article of the Constitution of the State of South Carolina, heretofore amended, be now altered so as to read as follows, to wit :

“All persons who shall be elected or appointed to any office of profit or trust, before entering on the execution thereof, shall take (besides special oaths not repugnant to this Constitution, prescribed by the General Assembly) the following oath: I do solemnly swear (or affirm) that I will be faithful, and true allegiance bear, to the State of South Carolina, so long as I may continue a citizen thereof, and that I am duly qualified, according to the Constitution of this State, to exercise the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State. So help me God.”

Done at Charleston, the twenty-second day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the twenty-second day of December, in the same year.

## AN ORDINANCE

To make Provisional Postal Arrangements in South Carolina.

*Whereas*, The State of South Carolina owes it to her own citizens, and to those of the other States, that, as one of the contracting parties, she should not prevent or interrupt the performance of the pending contracts for carrying and delivery of the Mails made by the United States while South Carolina was one of said States :

*Be it ordained by the People of South Carolina, in Convention assembled*, That the existing postal contracts and arrangements shall be continued, and the persons charged with the duties thereof shall continue to discharge said duties until a Postal Treaty or Treaties shall be concluded, or until otherwise ordered by this Convention.

Done at Charleston, the twenty second day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *President*.

Attest: B. F. ARTHUR, *Clerk*.

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there by divers adjournments, to the twenty-sixth day of December, in the same year.

## AN ORDINANCE

To make Provisional Arrangements for the Continuance of Commercial Facilities in South Carolina.

*Whereas*, It is due to our late confederates in the political Union, known as the United States of America, as also to the citizens of South Carolina engaged in commerce, that no abrupt or sudden change be made in the rate of duties upon imports into this State; and, *whereas*, it is not desired by this State to secure any advantage in trade to her own ports above those of any of the slaveholding States, her late confederates in the said Union; and, *whereas*, this Ordinance, for the considerations indicated, is designed to be provisional merely; therefore,

*We, the People of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained;*

First: That all citizens of this State, who, at the date of the Ordinance of Secession, were holding office connected with the Customs, under the Government of the United States, within the limits of South Carolina, be, and they are hereby, appointed to hold, under the Government of this State, exclusive of any further connection whatever with the Federal Government of the United States, the same offices they now fill, until otherwise directed, and to receive the same pay and emoluments for their services.

Second: That until this Convention, or the General Assembly, shall otherwise provide, the Governor shall appoint to all vacancies which may occur in such offices.

Third: That until otherwise provided by this Convention, or the General Assembly, the revenue, collection and navigation laws of the United States, so far as they may be applicable, be, and they are hereby, adopted, and made the laws of this State, saving that no duties shall be collected upon imports from the States forming the late Federal Union, known as the United States of America, nor upon the

tonnage of vessels owned in whole or in part by citizens of the said States, and saving and excepting the Act of Congress, adopted the 3d day of March, 1817, entitled "An Act authorizing the deposit of papers of foreign vessels with the Consuls of their respective nations," which said Act is hereby declared to be of no force within the limits of this State.

Fourth: That all vessels built in South Carolina, or elsewhere, and owned to the amount of one-third by a citizen or citizens of South Carolina, or any of the slaveholding commonwealths of North America, and commanded by a citizen thereof, and no other, shall be registered as vessels of South Carolina, under the authority of the Collector and Naval Officer.

Fifth: That all the official acts of the officers aforesaid, in which it is usual and proper to set forth the authority under which they act, or the style of documents issued by them, or any of them, shall be in the name of the State of South Carolina.

Sixth: That all moneys hereafter collected by any of the officers aforesaid shall, after deducting the sums necessary for the compensation of officers and other expenses, be paid into the Treasury of the State of South Carolina, for the use of the said State, subject to the order of this Convention, or the General Assembly.

Seventh: That the officers aforesaid shall retain in their hands all property of the United States in their possession, custody, or control, subject to the disposal of this State, who will account for the same upon a final settlement with the Government of the United States.

Done at Charleston, the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the twenty-seventh day of December, in the same year.

## AN ORDINANCE

To amend the Constitution of the State of South Carolina in respect to the Executive Department.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That the Governor shall have power to receive ambassadors, ministers, consuls, and agents from foreign powers; to appoint such agents, to be paid out of the contingent fund, as in his discretion he may choose to employ; to conduct negotiations with foreign powers; to make treaties, by and with the advice and consent of the Senate, provided two-thirds of the Senators present agree; to nominate, and by and with the advice and consent of the Senate, to appoint, such ambassadors, other public ministers and consuls, as the General Assembly shall have previously directed to be appointed, and also all other officers, whose appointment otherwise shall not have been provided for by law; to fill all vacancies that may happen during the recess of the Senate, in the offices to which he has the power to nominate as above mentioned, by granting commissions which shall expire at the end of the next session of the Senate, and to convene the Senate whenever, in his opinion, it may be necessary: *Provided, nevertheless, That,* during the existence of a Convention, all treaties and directions for appointment of ambassadors, ministers, or consuls, shall be subject to the advice and consent of the Convention, or to its separate action.

*And it is further ordained,* That the Governor shall immediately appoint four persons, with the advice and consent of this Convention, who, together with the Lieutenant Governor, shall form a Council, to be called the Executive Council, whose duty it shall be, when required by the Governor, to advise with him upon all matters which may be submitted to their consideration; and that a record of such consultations



shall be kept : *Provided, nevertheless,* That the Governor shall, in all cases, decide upon his own action.

Done at Charleston, the twenty-seventh day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *President.*

Attest : B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the twenty-seventh day of December in the same year.

## AN ORDINANCE

To alter the Constitution of the State of South Carolina, by striking out certain words in sundry places.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That the Constitution of the State of South Carolina be altered by striking therefrom certain words in sundry places, as follows, to wit: In the Twenty-first Section of the First Article, strike out in two places where they occur in this Section, the following words—"the United States or either of them." In the Third Clause of the Second Section of the Second Article, strike out the following words—"or under any State or the United States." In the Sixth Section of the Second Article, strike out the following words—"except when they shall be called into the actual service of the United States." In the Second Clause of the First Section of the Third Article, strike out the following words—"the United States." In the amendment of the amendment of the Fourth Section of the First Article, (which amendment of the amendment was ratified December twentieth, one thousand eight hundred and Oty-six), strike out the following words—"and non-commissioned officers and private soldiers of the Army of the United States." In the Fifth Section of the Second Article, strike out, in the places where they occur in this Section, the word "absence," and in lieu thereof, insert "removal;" also strike out "being absent," and insert in lieu thereof, "removal from the State."

Done at Charleston, the twenty-seventh day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the thirty-first day of December, in the same year.

## AN ORDINANCE

To Define and Punish Treason.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That in addition to what has been already declared to be treason by the General Assembly, treason against this State shall consist only in levying war against the State, or adhering to its enemies, giving them aid and comfort; and that treason shall be punished by death, without benefit of Clergy.

Done at Charleston, the thirty-first day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the thirty-first day of December, in the same year.

## AN ORDINANCE

## Concerning Judicial Powers.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That the judicial power heretofore delegated by this State, so as to form a part of the judicial power of the United States, having reverted to this State, shall be exercised by such Courts as the General Assembly shall direct.

Done at Charleston, the thirty-first day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the thirty-first day of December, in the same year.

## AN ORDINANCE

Concerning Powers lately vested in the Congress of the United States.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That all powers which, by this State, were heretofore delegated to the Congress of the United States, shall be vested in the General Assembly, except that during the existence of this Convention, the powers of the General Assembly shall not extend, without the direction of this Convention, to any one of these subjects, to wit: Duties and Imposts, the Post Office, the Declaration of War, Treaties, Confederacy with other States, Citizenship and Treason.

Done at Charleston, the thirty-first day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Columbia, and there, by divers adjournments, to the first day of January, in the year of our Lord one thousand eight hundred and sixty-one.

## AN ORDINANCE

## Concerning Citizenship.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

1. Every person who, at the date of the Ordinance of Secession, was residing in this State, and was then by birth, residence, or naturalization a citizen of this State, shall continue a citizen of this State, unless a foreign residence shall be established by such person with the intention of expatriation.

2. So, also, shall continue every free white person who, after the date aforesaid, may be born within the territory of this State, or may be born outside of that territory, of a father who then was a citizen of this State.

3. So, also, every person, a citizen of any one of the States now confederated under the name of the United States of America, who, within twelve months after the date of the Ordinance of Secession, shall come to reside in this State, with the intention of remaining, upon such person's taking the oath of allegiance to this State, below provided.

4. So, also, every free white person who shall be engaged in the actual service, military or naval, of the State, and shall take an oath of his intention to continue in such service for at least three months, unless sooner discharged honorably, and also the oath of allegiance below prescribed. In this case, the oaths shall be administered by some commissioned officer of the service, in which the applicant for citizenship may be engaged, superior in rank to the applicant, and thereupon certificate of the citizenship of the applicant shall be signed by the officer, and delivered to the applicant.

5. So, also, every free white person, not a citizen of any of the States above mentioned, who, at the date of the Ordinance of Secession, was residing in this State, or who, within one year from that date,

shall come to reside in this State, with the intention of remaining, upon such person's appearing before the Court of Common Pleas for any of the Districts of this State, establishing, by his or her own oath, the residence and intention here required, and taking the oaths of allegiance and abjuration below prescribed.

6. So, also, every person, not a citizen of any of the States above mentioned, at the date aforesaid, who may come to reside in this State, with the intention of remaining, and may be naturalized according to the naturalization laws of this State. Until they may be altered or repealed, the naturalization laws of the United States, accommodated to the special condition of the State, are hereby made the laws of this State, except that instead of the oaths required by those laws in the final Act, the oath of allegiance to this State, and of abjuration below provided, shall be taken.

7. In all cases, the citizenship of a man shall extend to his wife, present or future, whenever she shall have a residence in the State, and shall extend also to each of his children that, under the age of eighteen years, may have a residence in the State. In like manner, the citizenship of a woman shall extend to each of her children, that, under the age of eighteen years, may have a residence in the State: *Provided*, That in no case shall citizenship extend to any person who is not a free white person.

8. The oath of allegiance to this State shall be in the following form, to wit: "I do swear (or affirm) that I will be faithful, and true allegiance bear, to the State of South Carolina, so long as I may continue a citizen thereof." The oath of abjuration shall be in the following form, to wit: "I do swear (or affirm) that I do renounce, and forever abjure, all allegiance and fidelity to every prince, potentate, state or sovereignty whatsoever, except the State of South Carolina."

Done at Charleston, the first day of January, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, *President*.

Attest: B. F. ARTHUR, *Clerk*.

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the fifth day of January, in the year of our Lord one thousand eight hundred and sixty-one.

## AN ORDINANCE

To vest in the General Assembly the power to establish Postal Arrangements.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That all power necessary to make Postal Arrangements, and enact Postal laws, is hereby vested in the General Assembly.

Done at Charleston, the fifth day of January, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued, by divers adjournments, to the third day of April, in the same year.

## AN ORDINANCE

To Ratify the Constitution of the Confederate States of America.

*We, the People of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That the State of South Carolina does hereby assent to and ratify the articles of compact called the "Constitution of the Confederate States of America," adopted at Montgomery, in the State of Alabama, on the eleventh day of March, in the present year (one thousand eight hundred and sixty-one), by the convention of Delegates from the States of Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas, and does hereby agree with such other of the said States as shall ratify the same, to enter with them into a Federal Association of States upon the terms therein proposed.

Done at Charleston, the third day of April, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments, to the fourth day of April, in the same year.

## AN ORDINANCE

To alter the tenth Section of the first Article of the Constitution of the State of South Carolina, and the amendment thereof, ratified the twenty-eighth day of January, one thousand eight hundred and sixty-one; also, to alter the tenth Section of the Amendments, ratified on the seventeenth day of December, eighteen hundred and eight; and likewise, the second Clause of the eleventh Article of the Constitution aforesaid.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

The tenth section of the first Article of the Constitution of the State of South Carolina, and the amendment thereof, ratified in the Senate house, on the twenty-eighth day of January, in the year of our Lord one thousand eight hundred and sixty-one, shall be altered to read as follows: "Senators and Members of the House of Representatives shall be chosen at a General Election, on the Tuesday after the second Monday in October, in the year of our Lord one thousand eight hundred and sixty-two; and on the same day in every second year thereafter, in such manner and for such terms of office as are herein directed. They shall meet on the fourth Monday in November, annually, at Columbia (which shall remain the seat of Government, until otherwise determined by the concurrence of two-thirds of both branches of the whole Representation), unless the casualties of war, or contagious disorders, should render it unsafe to meet there; in either of which cases, the Governor or Commander-in-Chief, for the time being, may, by proclamation, appoint a more secure and convenient place of meeting. From the next General Election shall, however, be excepted those Senators, whose term of office will not expire in the year one thousand eight hundred and sixty-two. The terms of office of the Senators and Members of the House of Representatives, shall begin on the Monday following a General Election." The tenth section of the Amendments to



the Constitution aforesaid, ratified December seventeenth, one thousand eight hundred and eight, shall be altered to read as follows: "The Senators having heretofore been divided by lot into two classes, the seats of the Senators of the first class shall be vacated at the expiration of the second year after the Monday following a General Election; and of the second class, at the expiration of the fourth year; and the number of these classes shall be so proportioned, that one-half of the whole number of Senators may, as nearly as possible, continue to be chosen thereafter every second year." The second Clause of the eleventh Article of the Constitution aforesaid, shall be altered to read as follows: "No part of this Constitution shall be altered unless a bill to alter the same shall have been read on three several days in the House of Representatives, and on three several days in the Senate, and agreed to at the second and third readings by two-thirds of the whole representation in each branch of the Legislature. Neither shall any alteration take place until the bill so agreed to be published three months previous to a new election for Members of the House of Representatives; and if the alteration proposed by the Legislature shall be agreed to in their first session by two-thirds of the whole Representation in each branch of the Legislature, after the same shall have been read on three several days, in each House, then, and not otherwise, the same shall become a part of the Constitution."

Done at Charleston, the fourth day of April, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments to the fourth day of April in the same year.

## AN ORDINANCE

To amend an Ordinance concerning Citizenship.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:*

That the first Section of an Ordinance, entitled, "An Ordinance concerning Citizenship," ratified the first day of January, in the year of our Lord one thousand eight hundred and sixty-one, be, and the same is hereby, altered and amended, so as to read as follows: "Every person who, at the date of the Ordinance of Secession, was by birth, residence, or naturalization, a citizen of this State, shall continue a citizen thereof, unless a foreign residence shall be established by such person, with the intention of expatriation."

Done at Charleston, the fourth day of April, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments to the fourth day of April in the same year.

## AN ORDINANCE

To repeal sundry Ordinances, and to alter the fourth Article and sundry Sections of the Constitution.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, as follows :*

The Ordinance ratified by us in Convention, on the twenty-second day of December, one thousand eight hundred and sixty, entitled "An Ordinance to make provisional Postal Arrangements in South Carolina;" also, the Ordinance ratified on the twenty-sixth day of December, one thousand eight hundred and sixty, entitled "An Ordinance to make provisional arrangements for the continuance of Commercial Facilities in South Carolina;" also, the Ordinance ratified on the twenty-seventh day of December, one thousand eight hundred and sixty, entitled "An Ordinance to alter the Constitution of the State of South Carolina, by striking out certain words in sundry places;" also, the Ordinance ratified on the fifth day of January, one thousand eight hundred and sixty-one, entitled "An Ordinance to vest in the General Assembly the power of establishing Postal Arrangements," shall be, and the same are hereby, repealed. The Ordinance, ratified on the thirty-first day of December, one thousand eight hundred and sixty, entitled "An Ordinance concerning powers lately vested in the Congress of the United States;" also, the Ordinance, ratified on the thirty-first day of December, one thousand eight hundred and sixty, entitled "An Ordinance concerning Judicial Powers," shall be, and the same are hereby, repealed, so far as they are inconsistent with the Constitution of the Confederate States of America. The various amendments heretofore made to the fourth Article of the Constitution of the State of South Carolina, shall be, and the same are hereby, repealed. And the fourth Article, and sundry Sections of the Constitution of the State of South Carolina, be altered and amended, so as to read as follows, to wit:

ARTICLE I., Section 4. Every free white man of the age of twenty-one years, paupers, and non-commissioned officers and private soldiers of the army of the Confederate States of America excepted, who hath been a citizen and resident in this State two years previous to the day of election, and who hath a freehold of fifty acres of land, or a town lot, of which he hath been legally seized and possessed, at least six months before such election, or not having such freehold, or town lot, hath been a resident in the election district in which he offers to give his vote, six months before the said election, shall have a right to vote for a member or members, to serve in either branch of the Legislature, for the election district, in which he holds such property; or is so resident. Section 21. No person shall be eligible to a seat in the Legislature, whilst he holds any office of profit or trust under this State, the Confederate States of America, or either of them, or under any other power, except officers in the militia, army or navy of this State, Justices of the Peace, or Justices of the County Courts, while they receive no salaries; nor shall any contractor of the army or navy of this State, the Confederate States of America, or either of them, or the agents of such contractor, be eligible to a seat in either House. And if any member shall accept or exercise any of the said disqualifying offices, he shall vacate his seat.

ARTICLE II., Section 2, Clause 3. No person shall hold the office of Governor, and any other office or commission, civil or military (except in the militia), either in this State, or under the Confederate States of America, or either of them, or under any other power at one and the same time. Section 5. In case of the impeachment of the Governor, or his removal from office, death, resignation, or removal from the State, the Lieutenant Governor shall succeed to his office. And in case of the impeachment of the Lieutenant Governor, or his removal from office, death, resignation, or removal from the State, the President of the Senate shall succeed to his office, till a nomination to those offices, respectively, shall be made by the Senate and House of Representatives, for the remainder of the time for which the officer so impeached, removed from office, dying, resigning, or removed from the State, was elected. Section 6. The Governor shall be Commander-in-Chief of the army and navy of this State, and of the militia, except when they shall be called into the actual service of the Confederate States of America.

ARTICLE III., Section 1. The judicial power shall be vested in such Superior and Inferior Courts of Law and Equity as the Legislature shall



from time to time direct and establish. The Judges of each shall hold their commissions during good behavior; and Judges of the Superior Courts shall, at stated times, receive a compensation for their services, which shall neither be increased nor diminished during their continuance in office; but they shall receive no fees or perquisites of office, nor hold any other office of profit or trust under this State, the Confederate States of America, or any other power.

ARTICLE IV. All persons who shall be elected, or appointed to any office of profit or trust, before entering on the execution thereof, shall take (besides special oaths not repugnant to this Constitution, prescribed by the General Assembly) the following oath: "I do solemnly swear (or affirm) that I will be faithful, and true allegiance bear to the State of South Carolina, so long as I may continue a citizen thereof, and that I am duly qualified, according to the Constitution of this State, to exercise the office to which I have been appointed; and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State, and that of the Confederate States of America. So help me God."

Done at Charleston, the fourth day of April, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments to the eighth day of April, in the same year.

## AN ORDINANCE

To Ratify the Provisional Constitution and Government of the Confederate States of America.

*We, the People of South Carolina, now met and sitting in Convention, do hereby ordain :*

That the Provisional Constitution for the Confederate States of America, framed and agreed to by our deputies, at the City of Montgomery, in the State of Alabama, on the —— day of February last, be, and it is hereby, accepted and ratified; and that the Government organized in pursuance thereof is hereby approved and made valid, according to the terms of limitation expressed in said Constitution.

Done at Charleston, the eighth day of April, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments, to the eighth day of April, in the same year.

## AN ORDINANCE

To repeal in part, and alter in part, the Ordinance entitled, "An Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department."

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:*

The first Section of the Ordinance, ratified on the twenty-seventh day of December, one thousand eight hundred and sixty, entitled "An Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department," is hereby repealed. The second Section of the said Ordinance is hereby altered, so that the faithful servants of the State, who have heretofore constituted the Executive Council, shall be relieved from the duties which have been assigned to them under that section, so soon as, in the opinion of the Governor, the pressing exigency of public affairs will permit, except two, to wit: the Lieutenant Governor and a member of the Council, who may be charged with the Treasury Department, and these two, at the discretion of the Governor, may be retained, but not beyond the adjournment of the Legislature, after its next sitting, unless the Legislature should otherwise direct.

Done at Charleston, the eighth day of April, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Charleston, on the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments to the eighth day of April in the same year.

## AN ORDINANCE

To transfer to the Government of the Confederate States of America the use and occupancy of the forts, arsenals, navy yards, custom houses, and other public sites, within the limits of this State.

*We, the People of South Carolina, in Convention assembled, do ordain and declare, and it is hereby ordained and declared, by the authority of the same :*

That the Government of the Confederate States of America is hereby authorized to occupy, use and hold possession of all forts, navy yards, arsenals, custom houses, and other public sites, within the limits of this State, and their appurtenances, lately in the possession of the United States of America, together with Fort Sumter, and to repair, rebuild and control the same at its discretion, until this Ordinance be repealed by a Convention of the People of this State.

Done at Charleston, the eighth day of April, in the year of our Lord one thousand eight hundred and sixty-one.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## A BILL

To alter and amend the Third Section of the First Article of the Constitution of this State.

I. *Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Election District declared and known in the Constitution by the name of Claremont, shall be hereafter known and recognized by the name of Sumter.

II. *Be it further enacted by the authority aforesaid*, That the Election District declared and known in the Constitution by the name of Liberty, shall be hereafter known and recognized by the name of Marion.

In the Senate House, the fourth day of December, in the year of our Lord one thousand eight hundred and sixty, and in the eighty-fifth year of the sovereignty and independence of the United States of America.

We do certify that the foregoing Bill has been read three times, on three several days, in the House of Representatives, and three times, on three several days; in the Senate, and was agreed to by two-thirds of the whole representation in both branches of the Legislature.

WILLIAM D. PORTER,

*President of the Senate.*

JAMES SIMONS,

*Speaker House of Representatives*

## A BILL

To alter and amend the Tenth Section of the First Article of the Constitution of the State of South Carolina.

I. *Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the tenth Section of the first Article of the Constitution of this State be altered and amended, to read as follows: Senators and Members of the House of Representatives shall be chosen on the Tuesday after the second Monday in October, in the year of our Lord one thousand eight hundred and sixty-two, and on the same day in every second year thereafter, in such manner and at such times as are herein directed, and shall meet on the fourth Monday in November, annually, at Columbia (which shall remain the seat of Government until otherwise determined by the concurrence of two-thirds of both branches of the whole representation), unless the casualties of war, or contagious disorders, should render it unsafe to meet there; in either of which cases, the Governor or Commander-in-Chief for the time being may, by proclamation, appoint a more secure and convenient place of meeting: *Provided*, That nothing herein contained shall be so construed as to apply to those Senators whose term of office will not expire on the second Monday in October, in the year of our Lord one thousand eight hundred and sixty-two.

In the Senate House, the twenty-eighth day of January, in the year of our Lord one thousand eight hundred and sixty-one, and in the eighty-fifth year of the sovereignty and independence of the State of South Carolina.

We certify that this Bill has been read three times in the House of Representatives, and three times in the Senate, at the present session, and was agreed to by two-thirds of the whole representation.

WILLIAM D. PORTER,  
*President of the Senate.*

JAMES SIMONS,  
*Speaker House of Representatives.*



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued, by divers adjournments, to the second day of January, in the year of our Lord one thousand eight hundred and sixty-two.

## AN ORDINANCE.

To provide for the Removal of Negroes and other Property from portions of the State which may be Invaded by the Enemy.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:*

SECTION 1. That for the purpose of more fully accomplishing the objects of this Ordinance, there shall be elected, by this Convention, a Commission of three citizens for each of the Districts of Horry, Georgetown, Charleston, Colleton and Beaufort; and the citizens constituting such Commission shall be fully authorized to exercise the powers hereinafter provided for the said Commission.

SEC. 2. That whenever there shall be reason to believe that any portion of the State, not now in the actual possession of the enemy, may come into his possession, or the Commanding General of the Confederate forces shall notify any one of the said Commissions that a removal of the slaves within the District of said Commission, or any portion thereof, is necessary for the successful prosecution of his military duties, or it shall appear to the said Commission that such removal is otherwise required by the public interest, it shall be the duty of the Commission for the District in which such portion of the State may be, to notify all persons therein residing and owning negroes, or having them in charge, forthwith to remove and take with them, beyond a line to be designated by the Commissioners, such negroes and such other property to them belonging or in their charge, as it may be practicable to carry with them. And for such removal the said Commission shall give such aid as may be necessary, and it can command. And if any person or persons, residing in such portions of the State, and there owning or having negroes in charge, shall, after having received from the said Commission the notice before mentioned, refuse or neglect to

remove and take with them such negroes, it shall then be the duty of the said Commission to compel the removal of such negroes. And the said Commission shall, in all cases where it may be necessary, apply to the commanding officer of the military forces in the District, for such aid as may be requisite for the removal of any negroes, and conducting them to a place of safety.

SEC. 3. It shall be the duty of the said Commission, in all cases of removal of negroes under this Ordinance, to cause to be carried and removed with such negroes, if practicable, so much of the provisions which belong to the owner or owners, or persons having charge of such negroes, as will be necessary for their support, or to sell the same and apply the proceeds to the support of such negroes.

SEC. 4. In all cases where the owner or owners, or persons having charge of negroes to be removed under this Ordinance, shall have prepared or provided a place or places to which such negroes can be carried, it shall be the duty of the said Commission to give to the owner or owners, or persons having charge of such negroes, such aid for their removal as may be necessary, and the Commission can command. And if the owner or owners, or persons having charge of negroes to be removed under this Ordinance, shall not have prepared or provided any place or places to which such negroes can be carried, it shall then be the duty of the said Commission to cause such negroes, with the provisions for their support, to be removed and carried to such place or places as the said Commission shall or may procure, with the consent of the owner or owners of such place or places, and upon such terms as may be agreed upon for the use and occupation of such place or places. And, upon the removal of the negroes and provisions, if any, to such place or places, they shall be no longer under the charge of the said Commission, but shall be restored to the control of the owner or owners, or persons entitled to the charge of them.

SEC. 5. It shall be the duty of the said Commission, without delay, to procure and provide places to which negroes may be carried under this Ordinance. And to such of these places as may be considered best for that purpose, it shall be the duty, also, of the said Commission, to cause to be carried, and there safely kept, such supplies of provisions as the said Commission may, and is hereby, authorized to purchase. And such supplies of provisions, at such places, shall be considered public granaries, to be used under the authority of the said Commission, for the support of negroes removed under this Ordinance;

and whose owner or owners, or persons in charge of them, are unable otherwise to provide for their support.

SEC. 6. Whenever the owner or owners, or persons in charge of negroes removed under this Ordinance, shall be unable to employ them at the place or places to which they have been removed, it shall be the duty of the said Commission to confer with the Executive Authority of this State as to the employment which can be given to such negroes, on the public works or in the public service of the State, or in any other manner by which the expense of their removal or support can be saved. And, in all such cases, the owner or owners, or persons in charge of such negroes, if practicable, shall be consulted as to the employment of such negroes, and all such regulations shall be made for their safety and protection as such owner or owners, or persons in charge of such negroes, shall reasonably suggest.

SEC. 7. The said Commission shall maintain frequent communications with the Commanding General of the Confederate forces within this State, that it may be constantly informed of the necessity which may, from time to time, exist or arise for its exercise of the powers herein given and its discharge of the duties hereby imposed.

SEC. 8. The said Commission shall keep a record of all its proceedings under this Ordinance, and report the same to the General Assembly of this State at its next annual meeting; unless, previous to that time, this Convention shall be again assembled. And, if so, such report shall then be made to this Convention.

SEC. 9. When any sum of money shall be expended by or under the authority of the Commissions herein provided for, in the removal or support of the slaves or in the removal of the produce or other property of any person, there shall be a specific lien upon the said slaves of such person for the repayment of the said sum of money after the termination of the existing war; which lien may be summarily enforced by seizure and sale.

SEC. 10. That each Commission are hereby authorized to draw upon the Treasury of the State for the sums of money which may be necessary to enable them to execute the provisions of this Ordinance; and that the Legislature be directed to provide ways and means to reimburse the Treasury.

SEC. 11. That in the event of any vacancy in said Commission, the Commission shall have power to fill such vacancy.

SEC. 12. That all corporations and owners of ferries, whose means



and facilities of transportation may be used in carrying out the purposes of this Ordinance, shall not be allowed to charge more than half the present rates.

Done at Columbia, the second day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

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*Resolved*, That any person or persons willing immediately, or in anticipation of the order of the Commission, to remove their negroes and necessary provisions for their support under the terms of an Ordinance entitled "An Ordinance to provide for the removal of negroes and other property from portions of the State that may be invaded by the enemy," be, and the same are hereby, entitled to receive all such aid, on application to the Commission, as is prescribed by said Ordinance to be afforded to those who remove on notice; and the Commission is hereby directed to afford the said aid, so far as the same may be expedient or practicable; and further, that all means of transportation shall be afforded by corporations and private ferries under the terms of said Ordinance.

Done at Columbia, the third day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

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*Resolved*, That the injunction of secrecy be removed in relation to the Ordinance providing for the removal of slaves, and the resolution passed amendatory thereof, in so far as to permit the communication of a certified copy of the Ordinance to each of the Commissioners, with leave to make known so much of the Ordinance as may be necessary to the several parties interested therein, and to the commanding Generals of the Confederate forces in this State.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments, to the second day of January, in the year of our Lord one thousand eight hundred and sixty-two.

## AN ORDINANCE

To exempt Overseers from the performance of Militia Duty.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:*

SEC. 1. That during the time when any portion of the State may be in the possession of or under the control of the forces of the United States, it shall and may be lawful for every owner, agent or trustee in charge of a plantation and negroes, and who shall desire to keep upon the said plantation the Overseer of the negroes thereon, to apply to the Adjutant and Inspector General of the State, setting forth the number of negroes under the charge of the said Overseer, and the situation of the plantation. And the Adjutant and Inspector General may thereupon make an order exempting such Overseer from militia duty, except as an alarm man, and furnish also such Overseer with a copy of the order.

SEC. 2. The order of the Adjutant General shall be given where the number of slaves exceeds fifteen working hands, and the owner or other person having charge of the plantation is absent in the service of the State, or is above the age of sixty years, or is decrepid or a female; and in general wherever of fifteen or more slaves there is no white male left for protection and government besides the Overseer; but in no case shall the order exempt the Overseer from the performance of ordinary militia duty, from patrol duty, or from any police duty which may be required of him.

Done at Columbia, the second day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*



## THE STATE OF SOUTH CAROLINA.

At a Convention, of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments, to the sixth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

## AN ORDINANCE

To provide for holding Elections for Districts occupied or threatened by the enemy.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained :*

That when, during the continuance of the existing war between the Confederate States of America and the United States, some or all of the places of voting in any Election District of this State shall be occupied or threatened by the enemy, so that, in the opinion of the Executive authority, an election cannot be conducted therein with composure, it shall be competent for the Executive authority, by proclamation, to give notice of any election, at which the voters of the said Election District would, in a condition of peace, be entitled to vote; and by the said proclamation (which shall be published at least a fortnight before the day fixed for the said election,) to direct in what neighboring Election Districts the said voters may vote at the said election, and at what places therein, and how and by whom the said election shall be conducted, and how, when and where the result of the said election shall be ascertained and declared. An election had under the provisions of the proclamation aforementioned shall be as valid and effectual as if it had been regularly had in the Election District first abovementioned.

Done at Columbia, the sixth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments, to the sixth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

## AN ORDINANCE

To enable citizens of this State, who are engaged in military service, to exercise the right of Suffrage.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained :*

SEC. 1. That all citizens of this State, who are engaged in the military service either of this State or of the Confederate States, and on that account are absent from their respective Election Districts at the time of any general or District election, shall be entitled to exercise the right of suffrage in all respects as fully as they could do were they present in their respective Election Districts.

SEC. 2. That for the purpose of enabling such persons so to exercise the right of suffrage, it shall be their privilege, when any two or more may be at the same camp, or other place where soldiers are congregated, to have opened at such camp or other place, a poll, to be managed by any two commissioned officers, citizens of this State, who may be by such voters selected to manage the same.

SEC. 3. That before entering upon the management of such poll, the Managers shall take the oath prescribed by the laws of this State to be administered to Managers of Elections, which oath they are hereby authorized to administer to each other; and they are further empowered to administer to the voters the oath prescribed for that purpose by the laws of this State.

SEC. 4. That in the management of such poll, the Managers shall make a schedule containing—

1. A caption, setting forth the place and time such election was held, and the Election District and the office for which it was held.

2. The names of all the voters, enrolled by the Managers, and subscribed by the voters to the oath administered to each; each voter

affixing his signature, by his own hand, opposite to his name enrolled by the Managers.

3. An attestation signed by the Managers.

SEC. 5. That immediately on closing the poll, the Managers shall proceed to count the ballots, and shall subjoin to the schedule above mentioned, a certificate, under their hands, setting forth the fact of counting and the number of votes cast for each individual. And the Managers shall thereupon enclose the said schedule and certificate, under sealed cover, addressed to the Clerk of the Court of the Judicial District in which such Election District may be situated, and endorsed "Election Return for ——— Election District, for office of ———," and transmit the same by mail, or by some messenger to be employed at the expense of the voters. And if the election shall be for a member of Congress, with the said schedule and certificate, shall be enveloped the ballots cast.

SEC. 6. That the said poll shall be opened on the day fixed for such election to be had in the Election District to which it pertains, or on any day within ten days preceeding that day (not computing that day), and at such hours as the Managers may designate as most convenient.

SEC. 7. That it shall be the duty of the Clerk of the Court by whom any such election return may have been received, to deliver or transmit the same to the Managers of Elections for such Election District, on or before the day on which they may assemble at the Court House or other place appointed by law for declaring such election. And the Managers so assembled shall proceed to aggregate the returns which may be thus received with the returns which shall have been made by them from the District precincts, and shall declare the election as now provided by law; and, if the election be for a member of Congress, shall transmit the schedule, certificate and ballots aforementioned, to the office of the Secretary of State, along with the ballots cast in the Election District.

SEC. 8. The Executive authority shall cause to be prepared and sent to the Colonels of the various Regiments of this State engaged in actual service, blank forms for the schedules and certificates above required, which shall contain the oaths of Managers and voters.

SEC. 9. That this Ordinance shall continue of force only during the continuance of the existing war between the Confederate States of America and the United States; and shall be, and is hereby declared to be, a substitute for the provisions of an Act of the General Assem-

bly of this State, entitled "An Act to enable Volunteers in the Military service to exercise the right of suffrage," ratified the twenty-first day of December, in the year of our Lord one thousand eight hundred and sixty-one: *Provided*, That in any election which may be held for a District officer, before the first day of February next, the said Act shall prevail according to its terms and provisions.

Done at Columbia, on the sixth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President*,

Attest: B. F. ARTHUR, *Clerk*.



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued, by divers adjournments, to the sixth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

## AN ORDINANCE

To suspend in part the operation of an Act of the General Assembly, entitled "An Act for regulating and fixing the Salaries of several Officers, and for other purposes therein mentioned."

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained :*

That the operation of the third section of an Act of the General Assembly, entitled "An Act for regulating and fixing the salaries of several officers, and for other purposes therein mentioned," ratified the twenty-seventh day of March, one thousand seven hundred and eighty-seven, be, and the same is hereby, suspended until the end of the existing war and the close of the regular session of the General Assembly next following thereafter.

Done at Columbia, the sixth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments, to the seventh day of January, in the year of our Lord one thousand eight hundred and sixty-two.

## AN ORDINANCE

Further to Provide for the Harbor and Coast Defences of the State.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:* That the sum of three hundred thousand dollars, if so much be necessary, be appropriated out of any moneys in the Treasury of the State, for the building of a marine battery or ram, and for the construction or purchase of other vessels adapted to coast and inland defences; and the Governor and Council are hereby empowered, on consultation with the officer of the Confederate Navy, for the time being in command of the military district, whereof the city of Charleston is a part, to order the building or purchase of said battery or vessels.

SEC. 2. That any person or persons, for the time being not in the actual service of this State or the Confederate States, in their military or naval organizations, who shall, in the further progress of this war, capture or sink, burn or otherwise destroy, any armed ship or vessel belonging to, or in the service of, the United States, invading the waters within this State, or coming within three marine leagues of its coast, shall be entitled to a bounty of twenty dollars for each person on board said armed ship or vessel of the United States at the commencement of the assault or engagement, and who may or shall be destroyed thereby; and a bounty of thirty dollars for each and every person by him or them captured in said assault or engagement, and safely brought into port and delivered over to the military authority of the district into which such entry may be made, to be by said authority safely kept as prisoners of war.

SEC. 3. That any person or persons not, for the time being, in the actual service of this State or the Confederate States, in their military or naval organizations, who shall, in the further progress of this war, capture or sink, burn or otherwise destroy, any transport or other un-

armed ship or vessel belonging to, or in the service of, the United States, and found on the waters within this State, or within three marine leagues of its coast, shall be entitled to a bounty of fifteen dollars for each person on board said ship or vessel of the United States at the commencement of the said capture or sinking, burning or other destruction of the same, and who may be destroyed thereby; and a bounty of twenty-five dollars for each and every person by him or them so captured, and safely brought into port and delivered over to the military authority of the district into which such entry may be made, to be by said authority safely kept as prisoners of war. And a further bounty of ten dollars per ton shall be paid to any person or persons as aforesaid, who shall, in the future progress of this war, sink, burn or otherwise destroy, any armed vessel or transport or other unarmed ship within the waters of this State, or within three marine leagues of its coast, belonging to or in the employ of the United States.

SEC. 4. That any transport or other unarmed ship or vessel that shall be captured as aforesaid, shall, in whole or in part, be the property of the captors; so, also, shall be the cargo with which said vessels may be freighted, and an order for the sale or other appropriation of both vessels and cargo shall, on a proper showing, be summarily granted by any Judge or Chancellor exercising authority within the limits of the State.

SEC. 5. That any Judge or Chancellor exercising authority within the limits of this State, is hereby authorized and empowered to hear and summarily determine to what amount the bounties prescribed by this Ordinance shall extend, and all amounts decreed as aforesaid shall be paid out of the Treasury of the State on certificate of award signed by the Judge or Chancellor making the same, and countersigned by the Executive authority of this State.

Done at Columbia, the seventh day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued, by divers adjournments, to the eighth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

## AN ORDINANCE

In relation to a Portion of the Militia.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:*

SEC. 1. That no part of the militia law shall stand in the way of the power of the Governor and Council to organize and call into service any portion of the militia of this State, in such manner and under such regulations as may seem most expedient.

SEC. 2. That the Regiment in Charleston, lately known as the Reserves, be made a part of the militia of the State, under the same name, with the same organization, and the same officers as they recently had, who shall take rank from the date of the commissions which were irregularly given them; and the said Regiment are attached to the Fourth Brigade of Militia Infantry: *Provided*, That before the twentieth day of the present month the Regiment shall arm itself and report to the Brigadier General of said Brigade: *And provided*, That no person shall be enrolled in said Regiment, except those who, by the Act of Assembly, ratified the seventh day of December, one thousand eight hundred and sixty-one, are exempt from all militia duty, or from ordinary militia duty.

SEC. 3. That during the continuance of this war, whenever any volunteer company shall be reduced below the number required by the Act of 1841, the Colonel commanding the Regiment to which such company belongs, shall give the Captain or other officer commanding the said company, notice to recruit his company to the number required, in ten days; and in case of his failure to do so, the company shall be disbanded, and the Colonel shall divide the members of such company among such of the other companies of the Regiment as are weakest in number, in which they shall be obliged to serve, as if they had originally joined them: *Provided*, That no volunteer company

shall have more than eighty privates, besides the usual number of officers and non-commissioned officers.

Done at Columbia, the eighth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments, to the seventh day of January, in the year of our Lord one thousand eight hundred and sixty-two.

## AN ORDINANCE.

For strengthening the Executive Department during the exigencies of the present War.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, as follows:*

SEC. 1. Until the present war between the Confederate States of America and the United States shall have been terminated, and the forces raised in this State for the prosecution thereof shall have been disbanded, or until it shall be otherwise ordained by the People in Convention, the Governor shall be assisted, as is hereinafter directed, in the discharge of the duties imposed, and in the exercise of the powers conferred upon him under the Constitution and laws of this State, or the Ordinances of this Convention, by a Council, to be called the Executive Council, which shall consist of the Lieutenant Governor and three other citizens of the State, to be chosen by this Convention by ballot, a majority of the votes cast at such election being necessary to a choice.

SEC. 2. The Governor and the Executive Council, acting together, shall have power to declare martial law to such extent, in such places, and at such times, as shall be required by the exigency of public affairs; to arrest and detain all disloyal or disaffected persons, whose being at large they shall deem inconsistent with the public safety; to order and enforce (subject to the owner's right to receive due compensation from the State) such disposition of private property or appropriation thereof for public uses as the public good shall appear to them to require; to make, and cause to be executed, all such orders, regulations and arrangements, as they shall, from time to time, find expedient for bringing into service, organizing and supporting, the whole, or any part, of the



population of the State, to be employed in the public service, and, also, for maintaining such efficient police as shall, by them, be thought necessary; to make, procure or employ arms, munitions of war, and whatever else may be required for the defence of the State; to constitute and appoint such agents as shall be necessary for the more efficient execution of the powers hereby confided to them; for these purposes to draw money from the public Treasury, the Treasurers being bound to pay their drafts from any money in the Treasury; to make all such nominations and appointments to military offices as the Governor has heretofore been authorized to make; to fill all offices and appointments where there is any vacancy for default of action by the Legislature or other appointing power, or for default of any provision by law of the mode of appointment, and to fill, until the next meeting of the People in Convention, any vacancy which may occur in the Council by reason of the death, resignation or removal from the State, of any one of the three members thereof chosen by the Convention.

SEC. 3. In the discharge of all his duties and the exercise of all his powers, not hereinbefore enumerated, the Governor is authorized to consult the Council, and to require, if need be, its advice in writing.

SEC. 4. The Governor and Executive Council may, at their discretion, arrange some or all of the business to be done by them, into different departments, assign each department to one or more members of the Council, and make rules for the management of a department or other business. Acts done by either of the departments, in conformity to rules or orders established by the Governor and Council, shall be valid, but shall be always subject to the control of the Governor and Council.

SEC. 5. The Governor shall have access to the books and papers of every department, and the opportunity of being, at all times, fully informed of the condition of its business; reports to him shall be made by the heads of departments, when he may require them; and he shall communicate to this Convention and to the General Assembly, at every meeting of either body, full information concerning the transactions of the Council and the condition of every department.

SEC. 6. If there should be a vacancy in the office of Governor, the Lieutenant Governor, having succeeded to that office, shall discharge the duties herein required of the Governor; and the President of the Senate, having succeeded to the office of Lieutenant Governor, shall become a member of the Executive Council.

SEC. 7. The Governor (or if he be necessarily absent, the Lieutenant Governor,) and any two of the members of Council elected by this Convention, shall be sufficient to constitute a quorum; and the concurrence of a majority of all present, there being a quorum, shall be required for the validity of any action in which the Governor and Council are required to act conjointly. If by vacancies, the Council should be reduced to two or only one, the Governor for the time being, with those two or that one, shall be sufficient to fill the vacancies in the places of members chosen by this Convention, until the next meeting of the Convention.

SEC. 8. The Governor and Council shall keep a record of their proceedings, and for this purpose the Special Private Secretary of the Governor shall be their Secretary without additional pay. This record shall especially show the reasons for every arrest made by their authority. Any one of them shall have the privilege of filing and thus preserving as part of the record, his dissent from their action in any matter. On the first day of each meeting of the People in Convention, the record of all the proceedings of the Governor and Council had prior thereto, shall be laid before such Convention, and the said proceedings shall be subject to review, and to repeal, or such modification by the Convention as to it shall seem proper.

SEC. 9. The first meeting of the Governor and the Executive Council shall be had within seven days after the adjournment of the present sitting of this Convention, at a time and place to be fixed by the Governor, of which he shall give notice to each member. Afterwards their meetings shall be regulated by their own orders and adjournments.

SEC. 10. Each member of the Council shall receive an annual salary of two thousand dollars, payable quarterly out of the Treasury upon the draft or order of the Governor.

SEC. 11. The President of the Convention, if in his opinion the public exigencies shall require, or if he shall be requested in writing so to do by any twenty members of the Convention, shall by notice under his hand duly published, assemble this Convention, without delay, at a time and place to be by him fixed, and he shall appoint a Committee of five members of the Convention, a majority of whom, or the survivors or survivor of such majority, shall, in case of the death, resignation or disqualification of the President, have the like authority and be under the like obligation to assemble the Convention and appoint a time and

place for its meeting; but neither the President of the Convention nor any member of the said Committee shall be a member of the Executive Council.

Done at Columbia, on the seventh day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

B. F. ARTHUR, *Clerk.*

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, re-assembled by appointment of the President thereof, at Columbia, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and sixty-one, and thence continued by divers adjournments, to the eighth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

## AN ORDINANCE

To suspend certain parts of the Constitution of the State of South Carolina.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:*

That until the general election next following the termination of the war between the Confederate States of America and the United States, now existing, the following parts of the Constitution of the State of South Carolina shall be suspended, to wit: Sections Twenty-ninth and Thirty-first of Article First, and the last clause of Section First of Article Third.

Done at Columbia, the eighth day of January, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*



## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Columbia, on the ninth day of September, in the year of our Lord one thousand eight hundred and sixty two, and thence continued by divers adjournments, to the seventeenth day of the same month.

## AN ORDINANCE

To amend an Ordinance entitled "An Ordinance for strengthening the Executive Department during the exigencies of the present war."

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:*

That the "Ordinance for strengthening the Executive Department during the exigencies of the present war," ratified in Convention on the seventh day of January, A. D. 1862, shall be amended as follows:

SEC. 1. The term of office of those members of the Executive Council who were chosen by this Convention shall expire on the second Monday in December next, and the vacancies thus occurring may be filled by the General Assembly, by joint ballot of the two houses, any free white adult male citizen being eligible, and a majority of all the votes cast being necessary to an election.

SEC. 2. The Governor shall communicate to the General Assembly, on the first day of the next session thereof, full information concerning the transactions of the Council from the first day of the present session of this Convention until the time of the said communication, and also of the condition of every Department, and shall lay before the General Assembly the record of all the proceedings of the Governor and Council during the same time. This communication shall especially inform the General Assembly of every instance in which any Act of the General Assembly has been, or shall have been, prior to that time, modified or suspended by the action of the Governor and Council, and the reasons therefor, and the General Assembly shall have authority to review, repeal or modify such proceedings of the Governor and Council, or any of them, as to it shall seem proper.

SEC. 3. The General Assembly shall have power, by Act of the Legislature, to modify the constitution of the Executive Council, by



reducing the number thereof, or restricting the powers conferred thereupon by the Ordinance of this Convention, or wholly to abolish the said Executive Council.

SEC. 4. This Convention shall cease and be dissolved upon the expiration of two full years from the date of its original organization, to wit, on the 17th day of December next, at 12 o'clock, noon, but may in the meantime be assembled upon the call of the President, or in case of his death or absence from the State, or in case of his inability to act, by the Committee of five, appointed at the last session of this Convention for this purpose, or by a majority of them, or the survivors or survivor of such majority, and *shall* be assembled upon the united demand in writing of a majority of the members of this Convention at the time of such demand.

Done at Columbia, the seventeenth day of September, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President*.

Attest: B. F. ARTHUR, *Clerk*.

## THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, reassembled by appointment of the President thereof, at Columbia, on the ninth day of September, in the year of our Lord one thousand eight hundred and sixty-two, and thence continued by divers adjournments to the seventeenth day of the same month.

## AN ORDINANCE

To give to the General Assembly power in reference to certain Ordinances and Resolutions of this Convention.

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:* That the following Ordinances and Resolutions of this Convention shall be subject to modification or repeal by the General Assembly, to wit:

1. "An Ordinance to Exempt Overseers from the Performance of Militia Duty."

2. "An Ordinance in relation to a Portion of the Militia."

3. "An Ordinance to Enable Citizens of the State, who are engaged in military service, to Exercise the Right of Suffrage." And it is hereby ordained, that in its action concerning this Ordinance the General Assembly shall have power, during the time mentioned in the said Ordinance, to disregard the seventeenth section of the first Article of the Constitution of the State of South Carolina, so far as to permit citizens engaged in military service, to vote for a general election on a day or days different from the Tuesday mentioned in that section, and also to disregard the exception of "non-commissioned officers and private soldiers of the Confederate States of America," contained in the thirteenth section of the first Article of the said Constitution, so far as the same might be considered to affect such citizens engaged in the military service of the Confederate States, whether volunteers or conscripts.

4. "An Ordinance to provide for the Removal of Negroes and other Property from portions of the State which may be invaded by the enemy." And it is hereby ordained that the eighth section of this Ordinance be so amended as to require the report therein mentioned to be made to the General Assembly on the first day of every session thereof.

5. The Resolution annexed to the Ordinance last mentioned, in reference to persons willing to remove in anticipation of an order.

6. The Resolutions subjoined to the Report of the Special Committee No. 2, which Resolutions relate to the removal of persons from the city of Charleston, who, by reason of age, sex or infirmity, are incapable of taking part in its defence.

Done at Columbia, the seventeenth day of September, in the year of our Lord one thousand eight hundred and sixty-two.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*



THE  
CONSTITUTION

OF THE  
STATE OF SOUTH CAROLINA,

APRIL 8, 1861.

*We, the People of the State of South Carolina, in* <sup>Preamble.</sup>  
*Convention assembled, do ordain and establish this Con-*  
*stitution, for the Government of the said State :*

ARTICLE I.

SECTION 1. The Legislative authority of this State <sup>Legislature.</sup>  
shall be vested in a General Assembly, which shall con-  
sist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be <sup>Representa-</sup>  
composed of Members, chosen by ballot, every second <sup>tives, how</sup>  
year, by the citizens of this State, qualified as in this <sup>chosen, and</sup>  
Constitution is provided. <sup>for what</sup>  
<sup>time.</sup>

SECTION 3. The Election Districts in this State shall <sup>Election</sup>  
be as follows, to wit : <sup>Districts.</sup>

CHARLESTON, (including St. Philip and St.  
Michael,)

CHRIST CHURCH,

ST. JOHN, BERKELEY,

ST. ANDREW,

ST. GEORGE, DORCHESTER,

ST. JAMES, GOOSE CREEK,

ST. THOMAS and ST. DENNIS,

ST. PAUL,



ST. BARTHOLOMEW,  
ST. JAMES, SANTEE,  
ST. JOHN, COLLETON,  
ST. STEPHEN,  
ST. HELENA,  
ST. LUKE,  
PRINCE WILLIAM,  
ST. PETER,  
ALL SAINTS, (including its ancient bound-  
aries,)  
WINYAW, (not including any part of All  
Saints,)  
KINGSTON, (not including any part of All  
Saints,)  
WILLIAMSBURG,  
MARION,  
MARLBOROUGH,  
CHESTERFIELD,  
DARLINGTON,  
YORK,  
CHESTER,  
FAIRFIELD,  
RICHLAND,  
LANCASTER,  
KERSHAW,  
SUMTER,  
CLARENDON,  
ABBEVILLE,  
EDGEFIELD,  
NEWBERRY,  
LAURENS,  
UNION,  
SPARTANBURG, (heretofore called Spartan,)  
GREENVILLE,  
ANDERSON,  
PICKENS,  
ST. MATTHEW,  
ORANGE,  
BARNWELL,  
LEXINGTON.

SECTION 4. The boundaries of the Election Districts shall remain as they have heretofore been established.

Boundaries  
of Districts.

SECTION 5. The House of Representatives shall consist of one hundred and twenty-four Members, to be apportioned among the several Election Districts of the State, according to the number of white inhabitants contained, and the amount of all taxes raised by the Legislature, whether direct or indirect, or of whatever species, paid in each, deducting therefrom all taxes paid on account of property held in any other District, and adding thereto all taxes elsewhere paid on account of property held in such District; an enumeration of the white inhabitants, for this purpose, was made in the year one thousand eight hundred and fifty-nine, and shall be made in the course of every tenth year thereafter, in such manner as shall be by law directed; and Representatives shall be assigned to the different Districts, in the above-mentioned proportion, by Act of the Legislature, at the session immediately succeeding every enumeration.

124. Repre-  
sentatives,

apportioned  
according to  
white popu-  
lation

and  
Taxes.

Census to  
be taken.

SECTION 6. If the enumeration herein directed should not be made in the course of the year appointed for the purpose, it shall be the duty of the Government to have it effected as soon thereafter as shall be practicable.

Omission  
to be sup-  
plied.

SECTION 7. In assigning Representatives to the several Districts of this State, the Legislature shall allow one Representative for every sixty-second part of the whole number of white inhabitants in the State; and one Representative, also, for every sixty-second part of the whole taxes raised by the Legislature of the State. The Legislature shall further allow one Representative for such fractions of the sixty-second part of the white inhabitants of the State, and of the sixty-second part of the taxes raised by the Legislature of the State, as when added together, form a unit.

Fractions.

SECTION 8. In every apportionment of representation which shall take place after the first apportionment, the

Taxes, how  
estimated.

amount of taxes shall be estimated from the average of the ten preceding years.

Each District one Representative.

SECTION 9. If, in the apportionment of Representatives, any Election District shall appear not to be entitled, from its population and its taxes, to a Representative, such Election District shall nevertheless send one Representative; and if there should be still a deficiency of the number of Representatives required by section fifth, such deficiency shall be supplied by assigning Representatives to those Election Districts having the largest surplus fractions, whether those fractions consist of a combination of population and taxes, or of population, or of taxes separately, until the number of one hundred and twenty-four members be provided.

When apportionment shall take effect.

SECTION 10. No apportionment of Representatives shall be construed to take effect, in any manner, until the general election which shall succeed such apportionment.

Senators.

SECTION 11. The Senate shall be composed of one member from each Election District, except the District formed by the Parishes of St. Philip and St. Michael, to which shall be allowed two Senators as heretofore.

Classed.

SECTION 12. The Senators having been heretofore divided, by lot, into two classes, the seats of the Senators of the first class shall be vacated at the expiration of the second year after the Monday following a general election, and of the second class at the expiration of the fourth year; and the number of these classes shall be so proportioned that one-half of the whole number of Senators may, as nearly as possible, continue to be chosen thereafter every second year.

Qualification of voters

SECTION 13. Every free white man of the age of twenty-one years, paupers, and non-commissioned officers and private soldiers of the army of the Confederate States of America excepted, who hath been a citizen and resident in this State two years previous to the day

of election, and who hath a freehold of fifty acres of land, or a town lot, of which he hath been legally seized and possessed at least six months before such election; or not having such freehold or town lot, hath been a resident in the Election District, in which he offers to give his vote, six months before the said election, shall have a right to vote for a member, or members, to serve in either branch of the Legislature for the Election District in which he holds such property, or is so resident.

SECTION 14. The returning officer, or any other person present, entitled to vote, may require any person, who shall offer his vote at an election, to produce a certificate of his citizenship, and other qualification, entitling him to vote, or to swear, or affirm, that he is duly qualified to vote, agreeably to this Constitution.

How  
proved or ex-  
amined.

SECTION 15. No person shall be eligible to a seat in the House of Representatives unless he is a free white man, of the age of twenty-one years, and hath been a citizen and resident in this State three years previous to his election. If a resident in the Election District, he shall not be eligible to a seat in the House of Representatives unless he be legally seized and possessed, in his own right, of a settled freehold estate of five hundred acres of land and ten negroes; or of a real estate of the value of one hundred and fifty pounds, sterling, clear of debt. If a non-resident, he shall be legally seized and possessed of a settled freehold estate therein of the value of five hundred pounds, sterling, clear of debt.

Qualifica-  
tion of Rep-  
resentatives.

SECTION 16. No person shall be eligible to a seat in the Senate unless he is a free white man, of the age of thirty years, and hath been a citizen and resident in this State five years previous to his election. If a resident in the Election District, he shall not be eligible, unless he be legally seized and possessed, in his own right, of a settled freehold of the value of three hundred pounds, sterling, clear of debt. If a non-resident in the Election District, he shall not be eligible, unless he be legally

Who shall  
not be eligi-  
ble to the  
Senate.



seized and possessed, in his own right, of a settled freehold estate, in the said District, of the value of one thousand pounds, sterling, clear of debt.

Members  
of the Legis-  
lature, when  
chosen.

When to  
meet, and  
where.

Senators  
excepted.

Terms of  
office.

Validity of  
elections—  
how deter-  
mined.

Adjourn-  
ment from  
day to day.

Each  
House to  
elect their  
own officers

SECTION 17. Senators and Members of the House of Representatives shall be chosen at a general election on the Tuesday after the second Monday in October, in the year of our Lord one thousand eight hundred and sixty-two, and on the same day in every second year thereafter, in such manner and for such terms of office as are herein directed. They shall meet on the fourth Monday in November, annually, at Columbia (which shall remain the seat of Government until otherwise determined by the concurrence of two-thirds of both branches of the whole representation), unless the casualties of war, or contagious disorders, should render it unsafe to meet there; in either of which cases, the Governor, or Commander-in-Chief, for the time being, may, by proclamation, appoint a more secure and convenient place of meeting. From the next general election shall, however, be excepted those Senators now in office, whose term of service will not expire in the year one thousand eight hundred and sixty-two.

SECTION 18. The terms of office of the Senators and Members of the House of Representatives shall begin on the Monday following a general election.

SECTION 19. Each House shall judge of the elections, returns and qualifications of its own Members; and a majority of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent Members in such manner and under such penalties as may be provided by law.

SECTION 20. Each House shall choose, by ballot, its own officers, determine its rules of proceeding, punish its Members for disorderly behavior, and with the concurrence of two-thirds, expel a Member, but not a second time for the same cause.



SECTION 21. Each House may punish, by imprisonment during its sitting, any person not a Member, who shall be guilty of disrespect to the House by any disorderly or contemptuous behavior in its presence; or who, during the time of its sitting, shall threaten harm to body or estate of any member for anything said or done in either House, or who shall assault any of them therefor, or who shall assault or arrest any witness, or other person, ordered to attend the House, in his going to or returning therefrom, or who shall rescue any person arrested by order of the House.

Power of  
House to  
punish for  
contempt.

SECTION 22. The Members of both Houses shall be protected in their persons and estates during their attendance on, going to, and returning from the Legislature, and ten days previous to the sitting, and ten days after the adjournment of the Legislature. But these privileges shall not be extended so as to protect any Member who shall be charged with treason, felony, or breach of the peace.

Privileges  
of Members  
and their es-  
tates.

SECTION 23. Bills for raising a revenue shall originate in the House of Representatives, but may be altered, amended or rejected by the Senate; and all other bills may originate in either House, and may be amended, altered or rejected by the other.

Revenue  
bills.

Other bills.

SECTION 24. No Bill or Ordinance shall have the force of law until it shall have been read three times, and on three several days, in each House; has had the great seal affixed to it, and has been signed in the Senate House by the President of the Senate and Speaker of the House of Representatives.

What shall  
give the force  
of a law.

SECTION 25. No money shall be drawn out of the Public Treasury, but by the legislative authority of the State.

Only Leg-  
islature to  
draw money.

SECTION 26. The Members of the Legislature, who shall assemble under this Constitution, shall be entitled to receive out of the Public Treasury, for their expenses

Compensa-  
tion to Mem-  
bers.

during their attendance on going to and returning from the Legislature, the compensation now fixed by law; and the same may be increased or diminished by law, if circumstances shall require; but no alteration shall be made by any Legislature to take effect during the existence of the Legislature which shall make such alteration.

Adjourn-  
ment of  
House.

SECTION 27. Neither House, during their session, without the consent of the other, shall adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Regulation  
about bring-  
ing in bills,  
&c, once re-  
jected.

SECTION 28. No Bill or Ordinance, which shall have been rejected by either House, shall be brought in again during the sitting, without leave of the House, and notice of six days being previously given.

What per-  
sons are ex-  
cluded from  
Legislature.

SECTION 29. No person shall be eligible to a seat in the Legislature whilst he holds any office of profit, or trust under this State, the Confederate States of America, or either of them, or under any other power, except officers in the militia, army, or navy of this State, Justices of the Peace, or Justices of the County Courts, while they receive no salaries; nor shall any contractor of the army or navy of this State, the Confederate States of America, or either of them, or the agents of such contractor, be eligible to a seat in either House. And if any Member shall accept or exercise any of the said disqualifying offices he shall vacate his seat.

How va-  
cancies in  
the Legisla-  
ture shall be  
filled.

SECTION 30. If any Election District shall neglect to choose a Member, or Members, on the day of election, or if any person chosen a Member of either House should refuse to qualify and take his seat, or should die, depart the State, or accept any disqualifying office, a writ of election shall be issued by the President of the Senate or Speaker of the House of Representatives, as the case may be, for the purpose of filling up the vacancy thereby occasioned, for the remainder of the term for which the person so refusing to qualify, dying, departing the State, or accepting a disqualifying office, was elected to serve.

SECTION 31. And whereas the ministers of the Gospel are, by their profession, dedicated to the service of God and the cure of souls, and ought not to be diverted from the great duties of their function; therefore, no minister of the Gospel, or public preacher of any religious persuasion, whilst he continues in the exercise of his pastoral functions, shall be eligible to the office of Governor, Lieutenant Governor, or to a seat in the Senate or House of Representatives. Clergymen excluded. ]

## ARTICLE II.

SECTION 1. The Executive authority of this State shall be vested in a Governor, to be chosen in the manner following: As soon as may be after the first meeting of the Senate and House of Representatives, and at every first meeting of the House of Representatives thereafter, when a majority of both Houses shall be present, the Senate and House of Representatives shall jointly, in the House of Representatives, choose by ballot a Governor, to continue for two years, and until a new election shall be made. Executive.  
How chosen—for two years.

SECTION 2. No person shall be eligible to the office of Governor unless he hath attained the age of thirty years, and hath resided within the State, and been a citizen thereof, ten years, and unless he be seized and possessed of a settled estate within the same, in his own right, of the value of fifteen hundred pounds, sterling, clear of debt. Qualification of Governor.

No person having served two years as Governor shall be reëligible to that office till after the expiration of four years. Not reëligible for four years.

No person shall hold the office of Governor, and any other office, or commission, civil or military, except in the militia, either in this State, or under the Confederate States of America, or either of them, or under any other power, at one and the same time. Disqualification.

SECTION 3. A Lieutenant Governor shall be chosen at the same time, in the same manner, continue in office Lieutenant Governor—how chosen, &c.

for the same period, and be possessed of the same qualifications as the Governor.

Member of  
Legislature  
vacates his  
seat on being  
chosen Gov-  
ernor or  
Lieutenant-  
Governor.

SECTION 4. A Member of the Senate or House of Representatives being chosen, and acting as Governor or Lieutenant Governor, shall vacate his seat, and another person shall be elected in his stead.

Vacancies  
—how filled.

SECTION 5. In case of the impeachment of the Governor, or his removal from office, death, resignation, or removal from the State, the Lieutenant Governor shall succeed to his office. And in case of the impeachment of the Lieutenant Governor, or his removal from office, death, resignation, or removal from the State, the President of the Senate shall succeed to his office, until a nomination to those offices, respectively, shall be made by the Senate and House of Representatives, for the remainder of the time for which the officer so impeached, removed from office, dying, resigning, or removed from the State, was elected.

Governor  
to command  
army, &c.

SECTION 6. The Governor shall be Commander-in-Chief of the army and navy of this State, and of the militia, except when they shall be called into the actual service of the Confederate States of America.

May grant  
pardons, &c.

SECTION 7. He shall have power to grant reprieves and pardons after conviction, except in cases of impeachment, in such manner, on such terms, and under such restrictions as he shall think proper; and he shall have power to remit fines and forfeitures, unless otherwise directed by law.

Shall exe-  
cute the  
laws.

SECTION 8. He shall take care that the laws be faithfully executed, in mercy.

May pro-  
hibit the ex-  
portation of  
provisions.

SECTION 9. He shall have power to prohibit the exportation of provisions, for any time not exceeding thirty days.

His com-  
pensation.

SECTION 10. He shall, at stated times, receive for his services a compensation, which shall be neither in-



creased nor diminished, during the period for which he shall have been elected.

SECTION 11. All the officers in the Executive Department, when required by the Governor, shall give him information, in writing, upon any subject relating to the duties of their respective offices.

Executive Officers shall give information to Governor.

SECTION 12. The Governor shall, from time to time, give to the General Assembly information of the condition of the State, and recommend to their consideration such measures as he shall judge necessary or expedient.

Governor shall give information to Assembly.

SECTION 13. He may, on extraordinary occasions, convene the General Assembly, and in case of disagreement between the two Houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the fourth Monday in the month of November then ensuing.

May convene the General Assembly on extraordinary occasions, and adjourn Legislature when they cannot agree.

### ARTICLE III.

SECTION 1. The judicial power shall be vested in such Superior and Inferior Courts of Law and Equity as the Legislature shall from time to time direct and establish. The judges of each shall hold their commissions during good behavior; and Judges of the Superior Courts shall, at stated times, receive a compensation for their services, which shall neither be increased nor diminished during their continuance in office; but they shall receive no fees or perquisites of office, nor hold any other office of profit or trust, under this State, the Confederate States of America, or any other power.

Judiciary.

Courts of Law and Equity.

Judges shall hold commissions during good behavior, receive compensation, and be disqualified from holding any other office.

SECTION 2. The style of all process shall be, "The State of South Carolina." All prosecutions shall be carried on in the name and by the authority of the State of South Carolina, and conclude—"Against the peace and dignity of the same."

Style of process.



## ARTICLE IV.

Oath of  
office.

All persons who shall be elected or appointed to any office of profit or trust, before entering on the execution thereof, shall take (besides special oaths not repugnant to this Constitution, prescribed by the General Assembly) the following oath: "I do solemnly swear (or affirm) that I will be faithful, and true allegiance bear to the State of South Carolina, so long as I may continue a citizen thereof; and that I am duly qualified, according to the Constitution of this State, to exercise the office to which I have been appointed; and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State, and that of the Confederate States of America. So help me God."

## ARTICLE V.

R. presen-  
tatives shall  
impeach.

SECTION 1. The House of Representatives shall have the sole power of impeaching; but no impeachment shall be made, unless with the concurrence of two-thirds of the House of Representatives.

Senate to  
try impeach-  
ments.

SECTION 2. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be on oath, or affirmation, and no person shall be convicted without the concurrence of two thirds of the Members present.

Who liable  
to impeach-  
ment.

SECTION 3. The Governor, Lieutenant Governor, and all civil officers shall be liable to impeachment for high crimes and misdemeanors, for any misbehavior in office, for corruption in procuring office, or for any act which shall degrade their official character. But judgment in such cases shall not extend further than to removal from office and disqualification to hold any office of honor, trust or profit under this State. The party convicted shall, nevertheless, be liable to indictment, trial, judgment and punishment, according to law.

Punish-  
ment in case  
of conviction.

SECTION 4. All civil officers, whose authority is limited to a single Election District, a single Judicial District, or part of either, shall be appointed, hold their office, be removed from office, and in addition to liability to impeachment, may be punished for official misconduct in such manner as the Legislature, previous to their appointment, may provide.

All District offices to be regulated by law.

SECTION 5. If any civil officer shall become disabled from discharging the duties of his office, by reason of any permanent bodily or mental infirmity, his office may be declared to be vacant by joint resolution, agreed to by two-thirds of the whole Representation in each branch of the Legislature. *Provided*, That such resolution shall contain the grounds for the proposed removal, and, before it shall pass either House, a copy of it shall be served on the officer, and a hearing be allowed him.

Removal for infirmity.

## ARTICLE VI.

SECTION 1. The Judges of the Superior Courts, the Commissioners of the Treasury, Secretary of the State, and Surveyor-General, shall be elected by the joint ballot of both Houses, in the House of Representatives. The Commissioners of the Treasury, Secretary of the State, and Surveyor-General, shall hold their offices for four years; but shall not be eligible again for four years after the expiration of the time for which they shall have been elected.

How officers shall be elected.

Limitation of some commissions.

SECTION 2. All other officers shall be appointed as they hitherto have been, until otherwise directed by law; but a Sheriff shall not be again eligible for four years after the term for which he shall have been elected.

Other officers how appointed.  
Sheriff not re-eligible for four years

SECTION 3. All commissions shall be in the name and by the authority of the State of South Carolina, and be sealed with the seal of the State, and be signed by the Governor.

Style of commissions.

## ARTICLE VII.

Laws to  
continue of  
force until  
altered.

All laws of force in this State, at the passing of this Constitution, shall so continue, until altered or repealed by the Legislature, except where they are temporary, in which case they shall expire at the times respectively limited for their duration, if not continued by Act of the Legislature.

## ARTICLE VIII.

Free exer-  
cise of any  
religious pro-  
fession.

Proviso.

SECTION 1. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever hereafter be allowed within this State, to all mankind: *Provided*, that the liberty of conscience hereby declared shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

Rights, &c.  
preserved to  
corporate  
and other  
bodies.

SECTION 2. The rights, privileges, immunities and estates of both civil and religious societies, and of corporate bodies, shall remain as if the Constitution of this State had not been altered or amended.

## ARTICLE IX.

Declara-  
tion of rights

SECTION 1. All power is originally vested in the people, and all free governments are founded on their authority, and are instituted for their peace, safety and happiness.

SECTION 2. No freeman of this State shall be taken or imprisoned, or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the judgment of his peers, or by the law of the land; nor shall any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, ever be passed by the Legislature of this State.

SECTION 3. The military shall be subordinate to the civil power.

SECTION 4. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

SECTION 5. The Legislature shall not grant any title of nobility, or hereditary distinction, nor create any office, the appointment to which shall be for any longer time than during good behavior.

SECTION 6. The trial by jury, as heretofore used in this State, and the liberty of the press, shall be forever inviolably preserved.

SECTION 7. The rights of primogeniture shall not be reëstablished, and there shall not fail to be some legislative provision for the equitable distribution of the estates of intestates.

# ARTICLE X.

SECTION 1. The business of the Treasury shall be in future conducted by two Treasurers, one of whom shall hold his office and reside in Columbia, the other shall hold his office and reside in Charleston.

Treasury  
—how con-  
ducted.

SECTION 2. The Secretary of State and the Surveyor General shall hold their offices both in Columbia and Charleston. They shall reside at one place, and their deputies at the other.

And Secre-  
tary's office.

SECTION 3. The Judges shall, at such times and places as shall be prescribed by Act of the Legislature of this State, meet and sit, for the purpose of hearing and determining all motions which may be made for new trials, and in arrest of judgment, and such points of law as may be submitted to them.

Times and  
places of  
the meetings  
of Judges at  
discretion of  
Legislature.

SECTION 4. The Governor shall always reside, during the sitting of the Legislature, at the place where their Session may be held; and at all other times wherever, in his opinion, the public good may require.

\*Governor  
shall reside  
where Legis-  
lature sits  
during Ses-  
sion.

## ARTICLE XI.

Convention  
to be called  
by two-  
thirds of the  
Legislature.

SECTION 1. No Convention of the People shall be called, unless by the concurrence of two-thirds of both branches of the whole Representation.

Constitu-  
tion—how  
altered.

SECTION 2. No part of this Constitution shall be altered, unless a bill to alter the same shall have been read, on three several days, in the House of Representatives, and on three several days in the Senate, and agreed to at the second and third readings, by two-thirds of the whole Representation in each branch of the Legislature; neither shall any alteration take place until the bill so agreed to be published three months previous to a new election for Members of the House of Representatives; and if the alteration proposed by the Legislature shall be agreed to, in their first Session, by two-thirds of the whole Representation, in each branch of the Legislature, after the same shall have been read on three several days in each House, then, and not otherwise, the same shall become a part of the Constitution.

Done in Convention at Charleston, in the State of South Carolina, the eighth day of April, in the year of our Lord one thousand eight hundred and sixty-one, and in the eighty-fifth year of the sovereignty of the State of South Carolina.

D. F. JAMIONM,

*President.*

Attest: B. F. ARTHUR, *Clerk.*



CONSTITUTION  
FOR THE  
PROVISIONAL GOVERNMENT  
OF THE  
CONFEDERATE STATES OF AMERICA.

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We, the Deputies of the Sovereign and Independent States of South Carolina, Georgia, Florida, Alabama, Mississippi and Louisiana, invoking the favor of Almighty God, do hereby, in behalf of these States, ordain and establish this Constitution for the Provisional Government of the same; to continue one year from the inauguration of the President, or until a permanent Constitution or Confederation between the said States shall be put in operation, whichever shall first occur.

ARTICLE I.

SECTION I.

All legislative powers herein delegated shall be vested in this Congress now assembled, until otherwise ordained.

SECTION II.

When vacancies happen in the representation from any State, the same shall be filled in such manner as the proper authorities of the State shall direct.

SECTION III.

1. The Congress shall be the judge of the elections, returns and qualifications of its members; any number of Deputies from a majority of the States being present, shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members: upon all questions

before the Congress, each State shall be entitled to one vote, and shall be represented by any one or more of its Deputies who may be present.

2. The Congress may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. The Congress shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members on any question, shall, at the desire of one-fifth of those present, or at the instance of any one State, be entered on the journal.

#### SECTION IV.

The members of Congress shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederacy. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of the Congress, and in going to and returning from the same; and for any speech or debate, they shall not be questioned in any other place.

#### SECTION V.

1. Every bill which shall have passed the Congress, shall, before it become a law, be presented to the President of the Confederacy; if he approve, he shall sign it; but if not, he shall return it with his objections, to the Congress, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of the Congress shall agree to pass the bill, it shall become a law. But in all such cases, the vote shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the journal. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law. The President may veto any appropriation or appropriations and approve any other appropriation or appropriations in the same bill.

2. Every order, resolution or vote, intended to have the force and effect of a law, shall be presented to the President, and before the same shall take effect, shall be approved by him, or being disapproved

by him, shall be repassed by two-thirds of the Congress, according to the rules and limitations prescribed in the case of a bill.

3. Until the inauguration of the President, all bills, orders, resolutions and votes adopted by the Congress shall be of full force without approval by him.

#### SECTION VI.

1. The Congress shall have power to lay and collect taxes, duties, imposts and excises, for the revenue necessary to pay the debts and carry on the Government of the Confederacy; and all duties, imposts and excises shall be uniform throughout the States of the Confederacy. And this Congress shall also exercise executive powers, until the President is inaugurated:

2. To borrow money on the credit of the Confederacy:

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes:

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the Confederacy:

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures:

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederacy.

7. To establish post offices and post roads:

8. To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries:

9. To constitute tribunals inferior to the Supreme Court:

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years:

13. To provide and maintain a navy:

14. To make rules for the government and regulation of the land and naval forces:

15. To provide for calling forth the militia to execute the laws of the Confederacy, suppress insurrections, and repel invasions:

16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service

of the Confederacy, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress: and

17. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers expressly delegated by this Constitution to this Provisional Government.

#### SECTION VII.

1. The importation of African negroes from any foreign country other than the slaveholding States of the United States, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. The Congress shall also have power to prohibit the introduction of slaves from any State not a member of this Confederacy.

3. The privilege of the writ of habeas corpus shall not be suspended unless, when in cases of rebellion or invasion, the public safety may require it.

4. No bill of attainder, or *ex post facto* law, shall be passed.

5. No preference shall be given, by any regulation of commerce or revenue, to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public moneys shall be published from time to time.

7. Congress shall appropriate no money from the treasury unless it be asked for by the President or some one of the heads of Departments, except for the purpose of paying its own expenses and contingencies.

8. No title of nobility shall be granted by the Confederacy; and no person holding any office of profit or trust under it, shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign State.

9. Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of such grievances as the delegated powers of this Government may warrant it to consider and redress.



10. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

11. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

12. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

13. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use, without just compensation.

14. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

15. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact, tried by a jury, shall be otherwise reexamined in any Court of the Confederacy than according to the rules of the common law.

16. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

17. The enumeration, in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

18. The powers not delegated to the Confederacy by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

19. The judicial power of the Confederacy shall not be construed to



extend to any suit in law or equity, commenced or prosecuted against one of the States of the Confederacy, by citizens of another State, or by citizens or subjects of any foreign State.

#### SECTION VIII.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the Confederacy, and all such laws shall be subject to the revision and control of the Congress. No State shall, without the consent of Congress, lay any duty of tonnage, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

### ARTICLE II.

#### SECTION I.

1. The Executive power shall be vested in a President of the Confederate States of America. He, together with the Vice President, shall hold his office for one year, or until this Provisional Government shall be superseded by a Permanent Government, whichever shall first occur.

2. The President and Vice President shall be elected by ballot by the States represented in this Congress, each State casting one vote, and a majority of the whole being requisite to elect.

3. No person except a natural born citizen, or a citizen of one of the States of this Confederacy at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years and been fourteen years a resident of one of the States of this Confederacy.

4. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the

said office (which inability shall be determined by a vote of two-thirds of the Congress), the same shall devolve on the Vice President; and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President; and such officer shall act accordingly until the disability be removed, or a President shall be elected.

5. The President shall at stated times receive for his services, during the period of the Provisional Government, a compensation at the rate of twenty-five thousand dollars per annum; and he shall not receive, during that period, any other emolument from this Confederacy, or any of the States thereof.

6. Before he enter on the execution of his office, he shall take the following oath or affirmation :

“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States of America, and will, to the best of my ability, preserve, protect, and defend the Constitution thereof.”

#### SECTION II.

1. The President shall be Commander-in-Chief of the Army and Navy of the Confederacy, and of the Militia of the several States, when called into the actual service of the Confederacy; he may require the opinion in writing, of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the Confederacy, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Congress, to make treaties, provided two-thirds of the Congress concur: and he shall nominate, and by and with the advice and consent of the Congress, shall appoint ambassadors, other public ministers and consuls, Judges of the Court, and all other officers of the Confederacy whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Congress, by granting commissions which shall expire at the end of their next session.

## SECTION III.

1. He shall, from time to time, give to the Congress information of the state of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene the Congress at such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed; and shall commission all the officers of the Confederacy.

2. The President, Vice President, and all civil officers of the Confederacy shall be removed from office on conviction by the Congress of treason, bribery or other high crimes and misdemeanors: a vote of two-thirds shall be necessary for such conviction.

## ARTICLE III.

## SECTION I.

1. The judicial power of the Confederacy shall be vested in one Supreme Court, and in such inferior Courts as are herein directed, or as the Congress may from time to time ordain and establish.

2. Each State shall constitute a district, in which there shall be a court called a District Court, which, until otherwise provided by the Congress, shall have the jurisdiction vested by the laws of the United States, as far as applicable, in both the District and Circuit Courts of the United States for that State; the Judge whereof shall be appointed by the President, by and with the advice and consent of the Congress, and shall, until otherwise provided by the Congress, exercise the power and authority vested by the laws of the United States in the Judges of the District and Circuit Courts of the United States, for that State, and shall appoint the times and places at which the Courts shall be held. Appeals may be taken directly from the District Courts to the Supreme Court, under similar regulations to those which are provided in cases of appeal to the Supreme Court of the United States, or under such other regulations as may be provided by the Congress. The commissions of all the judges shall expire with this Provisional Government.

3. The Supreme Court shall be constituted of all the District Judges, a majority of whom shall be a quorum, and shall sit at such times and places as the Congress shall appoint.

4. The Congress shall have power to make laws for the transfer of any causes which were pending in the Courts of the United States, to the Courts of the Confederacy, and for the execution of the orders,

decrees and judgments heretofore rendered by the said Courts of the United States; and also all laws which may be requisite to protect the parties to all such suits, orders, judgments or decrees, their heirs, personal representatives or assignees.

## SECTION II.

1. The judicial power shall extend to all cases of law and equity, arising under this Constitution, the laws of the United States, and of this Confederacy, and treaties made, or which shall be made, under its authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the Confederacy shall be a party; controversies between two or more States; between citizens of different States; between citizens of the same State claiming lands under grants of different States.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

## SECTION III.

1. Treason against this Confederacy shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open Court.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

## ARTICLE IV.

## SECTION I.

1. Full faith and credit shall be given in each State to the public acts, records and judicial proceedings of every other State. And the



Congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect of such proof.

#### SECTION II.

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. A slave in one State, escaping to another, shall be delivered up on claim of the party to whom said slave may belong, by the executive authority of the State in which such slave shall be found; and in case of any abduction or forcible rescue, full compensation, including the value of the slave and all costs and expenses, shall be made to the party by the State in which such abduction or rescue shall take place.

#### SECTION III.

1. The Confederacy shall guarantee to every State in this Union a republican form of Government, and shall protect each of them against invasion; and, on application of the Legislature or of the Executive (when the Legislature cannot be convened), against domestic violence.

#### ARTICLE V.

1. The Congress, by a vote of two-thirds, may, at any time, alter or amend this Constitution.

#### ARTICLE VI.

1. This Constitution, and the laws of the Confederacy which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the Confederacy, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

2. The Government hereby instituted shall take immediate steps for the settlement of all matters between the States forming it, and their other late confederates of the United States in relation to the public property and public debt at the time of their withdrawal from them;

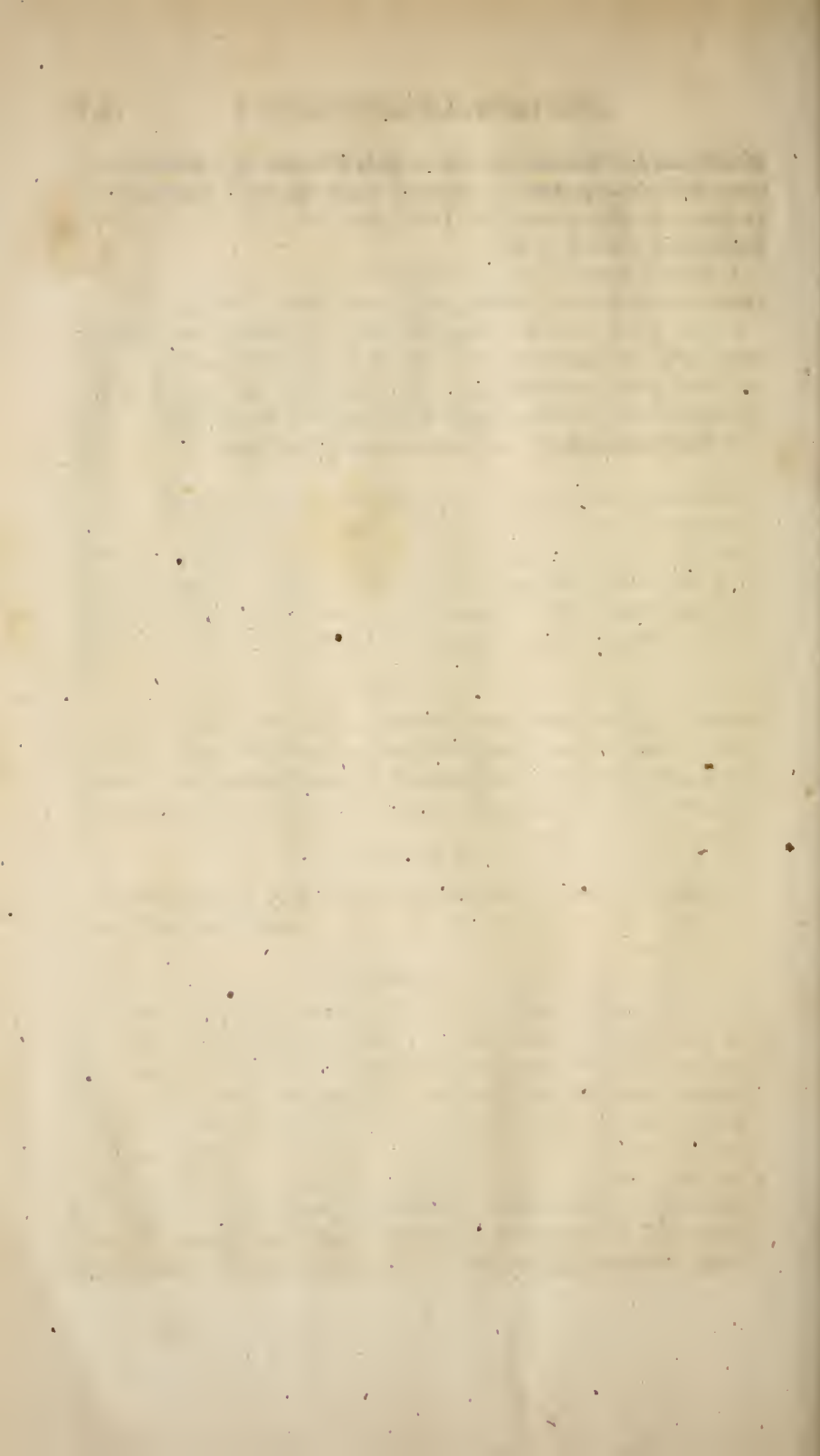


these States hereby declaring it to be their wish and earnest desire to adjust everything pertaining to the common property, common liability and common obligations of that Union, upon the principles of right, justice, equity and good faith.

3. Until otherwise provided by the Congress, the City of Montgomery, in the State of Alabama, shall be the seat of Government.

4. The members of the Congress and all executive and judicial officers of the Confederacy shall be bound by oath or affirmation to support this Constitution; but no religious test shall be required as a qualification to any office or public trust under this Confederacy.

5. The Congress shall have power to admit other States.



# CONSTITUTION

## OF THE

# CONFEDERATE STATES OF AMERICA.

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We, the people of the Confederate States, each State acting in its sovereign and independent character, in order to form a permanent federal Government, establish justice, insure domestic tranquillity, and secure the blessings of liberty to ourselves and our posterity—invo-king the favor and guidance of Almighty God—do ordain and establish this Constitution of the Confederate States of America.

### ARTICLE I.

#### SECTION I.

1. All legislative powers herein delegated shall be vested in a Congress of the Confederate States, which shall consist of a Senate and House of Representatives.

#### SECTION II.

1. The House of Representatives shall be composed of Members chosen every second year by the people of the several States; and the electors in each State shall be citizens of the Confederate States, and have the qualifications requisite for electors of the most numerous branch of the State Legislature; but no person of foreign birth, not a citizen of the Confederate States, shall be allowed to vote for any officer, civil or political, State or federal.

2. No person shall be a Representative who shall not have attained the age of twenty-five years, and be a citizen of the Confederate States,

and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Confederacy, according to their respective numbers—which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all slaves. The actual enumeration shall be made within three years after the first meeting of the Congress of the Confederate States, and within every subsequent term of ten years, in such manner as they shall, by law, direct. The number of Representatives shall not exceed one for every fifty thousand, but each State shall have, at least, one Representative; and until such enumeration shall be made, the State of South Carolina shall be entitled to choose six, the State of Georgia ten, the State of Alabama nine, the State of Florida two, the State of Mississippi seven, the State of Louisiana six, and the State of Texas six.

4. When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment; except that any judicial or other federal officer, resident and acting solely within the limits of any State, may be impeached by a vote of two-thirds of both branches of the Legislature thereof.

#### SECTION III.

1. The Senate of the Confederate States shall be composed of two Senators from each State, chosen for six years by the Legislature thereof, at the regular session next immediately preceding the commencement of the term of service; and each Senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year; and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary

appointments until the next meeting of the Legislature; which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained the age of thirty years, and be a citizen of the Confederate States; and who shall not, when elected, be an inhabitant of the State for which he shall be chosen:

4. The Vice President of the Confederate States shall be President of the Senate; but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers; and also a President *pro tempore* in the absence of the Vice President, or when he shall exercise the office of President of the Confederate States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the Confederate States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the Members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the Confederate States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

#### SECTION IV.

1. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof, subject to the provisions of this Constitution; but the Congress may, at any time, by law, make or alter such regulations, except as to the times and places of choosing Senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.

#### SECTION V.

1. Each House shall be the judge of the elections, returns and qualifications of its own Members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent Members, in such manner, and under such penalties, as each House may provide.

2. Each House may determine the rules of its proceedings, punish



its Members for disorderly behavior, and, with the concurrence of two-thirds of the whole number, expel a Member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the Members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

#### SECTION VI.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederate States. They shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the Confederate States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the Confederate States shall be a Member of either House during his continuance in office. But Congress may, by law, grant to the principal officer in each of the Executive Departments a seat upon the floor of either House, with the privilege of discussing any measure appertaining to his department.

#### SECTION VII.

1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill, which shall have passed both Houses, shall, before it becomes a law, be presented to the President of the Confederate States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House

shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But, in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law. The President may approve any appropriation and disapprove any other appropriation in the same bill. In such case he shall, in signing the bill, designate the appropriations disapproved; and shall return a copy of such appropriations, with his objections, to the House in which the bill shall have originated; and the same proceedings shall then be had as in case of other bills disapproved by the President.

3. Every order, resolution or vote, to which the concurrence of both Houses may be necessary (except on a question of adjournment), shall be presented to the President of the Confederate States; and before the same shall take effect, shall be approved by him; or being disapproved by him, shall be repassed by two-thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

#### SECTION VIII.

The Congress shall have power—

1. To lay and collect taxes, duties, imposts and excises, for revenue necessary to pay the debts, provide for the common defence, and to carry on the Government of the Confederate States; but no bounties shall be granted from the treasury; nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry; and all duties, imposts and excises shall be uniform throughout the Confederate States:

2. To borrow money on the credit of the Confederate States:

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes; but neither this, nor any other clause contained in the Constitution, shall ever be construed to delegate the power to Congress to appropriate money for any internal improvement intended to facilitate commerce, except for the purpose of furnishing lights, beacons and buoys, and other aids to navigation upon the coasts, and the improvement of harbors, and the removing of ob-

structions in river navigation, in all which cases, such duties shall be laid on the navigation facilitated thereby, as may be necessary to pay the costs and expenses thereof :

4. To establish uniform laws of naturalization, and uniform laws on the subject of bankruptcies, throughout the Confederate States; but no law of Congress shall discharge any debt contracted before the passage of the same :

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures :

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederate States :

7. To establish post offices and post routes; but the expenses of the Post Office Department, after the first day of March, in the year of our Lord eighteen hundred and sixty-three, shall be paid out of its own revenues :

8. To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors the exclusive right to their respective writings and discoveries :

9. To constitute tribunals inferior to the Supreme Court;

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations :

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water :

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years :

13. To provide and maintain a navy :

14. To make rules for the government and regulation of the land and naval forces :

15. To provide for calling forth the militia to execute the laws of the Confederate States, suppress insurrections and repel invasions :

16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States; reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress :

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of one or more States and the acceptance of Congress, become the seat of the Government of the Confederate States; and to exercise like authority over all places purchased by the consent of the Legislature

of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings : and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the Confederate States, or in any department or officer thereof.

## SECTION IX.

1. The importation of negroes of the African race, from any foreign country, other than the slaveholding States or Territories of the United States of America, is hereby forbidden ; and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have power to prohibit the introduction of slaves from any State not a member of, or Territory not belonging to, this Confederacy.

3. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion, or invasion the public safety may require it.

4. No bill of attainder, *ex post facto* law, or law denying or impairing the right of property in negro slaves, shall be passed.

5. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

6. No tax or duty shall be laid on articles exported from any State, except by a vote of two-thirds of both Houses.

7. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

8. No money shall be drawn from the Treasury, but in consequence of appropriations made by law ; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time.

9. Congress shall appropriate no money from the Treasury except by a vote of two-thirds of both Houses, taken by yeas and nays, unless it be asked and estimated for by some one of the heads of department, and submitted to Congress by the President ; or for the purpose of paying its own expenses and contingencies ; or for the payment of claims against the Confederate States, the justice of which shall have been judicially declared by a tribunal for the investigation of claims against the Government, which it is hereby made the duty of Congress to establish.

10. All bills appropriating money shall specify, in federal currency,



the exact amount of each appropriation, and the purposes for which it is made; and Congress shall grant no extra compensation to any public contractor, officer, agent, or servant, after such contract shall have been made or such service rendered.

11. No title of nobility shall be granted by the Confederate States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office or title, of any kind whatever, from any king, prince, or foreign State.

12. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the Government for a redress of grievances.

13. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

14. No soldier shall, in time of peace, be quartered, in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

15. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

16. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use, without just compensation.

17. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and District wherein the crime shall have been committed, which District shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.



18. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact so tried by a jury shall be otherwise reëxamined in any court of the Confederacy than according to the rules of the common law.

19. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

20. Every law or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

#### SECTION X.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the Confederate States; and all such laws shall be subject to the revision and control of Congress.

3. No State shall, without the consent of Congress, lay any duty on tonnage, except on sea-going vessels, for the improvement of its rivers and harbors navigated by the said vessels; but such duties shall not conflict with any treaties of the Confederate States with foreign nations; and any surplus revenue, thus derived, shall, after making such improvement, be paid into the common treasury; nor shall any State keep troops or ships-of-war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay. But when any river divides or flows through two or more States, they may enter into compacts with each other to improve the navigation thereof.

### ARTICLE II.

#### SECTION I.

1. The executive power shall be vested in a President of the Confederate States of America. He and the Vice President shall hold

their offices for the term of six years; but the President shall not be reëligible. The President and Vice President shall be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the Confederate States, shall be appointed an elector.

3. The electors shall meet in their respective States and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which list they shall sign and certify, and transmit, sealed, to the seat of the Government of the Confederate States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no such person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in case of the death, or other constitutional disability of the President.

4. The person having the greatest number of votes as Vice President shall be the Vice President, if such number be a majority of the whole number of electors appointed; and, if no person have a majority, then, from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-

thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

5. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the Confederate States.

6. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the Confederate States.

7. No person, except a natural born citizen of the Confederate States, or a citizen thereof, at the time of the adoption of this Constitution, or a citizen thereof born in the United States prior to the 20th of December, 1860, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the limits of the Confederate States as they may exist at the time of his election.

8. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President; and the Congress may, by law, provide for the case of removal, death, resignation, or inability both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed, or a President shall be elected.

9. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the Confederate States, or of any of them.

10. Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States, and will, to the best of my ability, preserve, protect and defend the Constitution thereof."

#### SECTION II.

1. The President shall be Commander-in-Chief of the army and navy of the Confederate States, and of the militia of the several States, when called into the actual service of the Confederate States; he may require the opinion, in writing, of the principal officer in each of the Executive Departments, and upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and



pardons for offences against the Confederate States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the Confederate States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may, by law, vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of Departments.

3. The principal officer in each of the Executive Departments, and all persons connected with the diplomatic service, may be removed from office at the pleasure of the President. All other civil officers of the Executive Department may be removed at any time by the President, or other appointing power, when their services are unnecessary, or for dishonesty, incapacity, inefficiency, misconduct, or neglect of duty; and when so removed, the removal shall be reported to the Senate, together with the reasons therefor.

4. The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session; but no person rejected by the Senate shall be re-appointed to the same office during their ensuing recess.

#### SECTION III.

1. The President shall, from time to time, give to the Congress information of the State of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such a time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the Confederate States.

#### SECTION IV.

1. The President, Vice President, and all civil officers of the Confederate States, shall be removed from office on impeachment for, and conviction of, treason, bribery or other high crimes and misdemeanors.

## ARTICLE III.

## SECTION I.

1. The judicial power of the Confederate States shall be vested in one Supreme Court, and in such Inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the Supreme and Inferior Courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

## SECTION II.

1. The judicial power shall extend to all cases arising under this Constitution, the laws of the Confederate States, and treaties made or which shall be made under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the Confederate States shall be a party; to controversies between two or more States; between a State and citizens of another State where the State is plaintiff; between citizens claiming lands under grants of different States, and between a State or the citizens thereof, and foreign States, citizens or subjects; but no State shall be sued by a citizen or subject of any foreign State.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

## SECTION III.

1. Treason against the Confederate States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open Court.

2. The Congress shall have power to declare the punishment of trea-



son, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

#### ARTICLE IV.

##### SECTION I.

1. Full faith and credit shall be given in each State to the public Acts, records and judicial proceedings of every other State; and the Congress may, by general laws, prescribe the manner in which such Acts, records and proceedings shall be proved, and the effect thereof.

##### SECTION II.

1. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States, and shall have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property; and the right of property in said slaves shall not be thereby impaired.

2. A person charged in any State with treason, felony, or other crime against the laws of such State, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No slave, or other person held to service or labor in any State or Territory of the Confederate States, under the laws thereof, escaping or lawfully carried into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such slave belongs, or to whom such service or labor may be due.

##### SECTION III.

1. Other States may be admitted into this Confederacy by a vote of two-thirds of the whole House of Representatives, and two-thirds of the Senate, the Senate voting by States; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations concerning the property of the Confederate States, including the lands thereof.

3. The Confederate States may acquire new territory; and Congress shall have power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States; and may permit them, at such times and in such manner as it may by law provide, to form States, to be admitted into the Confederacy. In all such territory, the institution of negro slavery, as it now exists in the Confederate States, shall be recognized and protected by Congress, and by the territorial Government; and the inhabitants of the several Confederate States and Territories shall have the right to take to such territory any slaves lawfully held by them in any of the States or Territories of the Confederate States.

4. The Confederate States shall guarantee to every State that now is, or hereafter may become, a member of this Confederacy, a republican form of government, and shall protect each of them against invasion, and, on application of the Legislature (or of the Executive, when the Legislature is not in session), against domestic violence.

#### ARTICLE V.

1. Upon the demand of any three States, legally assembled in their several Conventions, the Congress shall summon a Convention of all the States, to take into consideration such amendments to the Constitution as the said States shall concur in suggesting at the time when the said demand is made; and should any of the proposed amendments to the Constitution be agreed on by the said Convention—voting by States—and the same be ratified by the Legislatures of two-thirds of the several States, or by Conventions in two-thirds thereof—as one or the other mode of ratification may be proposed by the general Convention—they shall thenceforward form a part of this Constitution. But no State shall, without its consent, be deprived of its equal representation in the Senate.

#### ARTICLE VI.

1. The Government established by this Constitution is the successor of the Provisional Government of the Confederate States of America, and all the laws passed by the latter shall continue in force until the same shall be repealed or modified; and all the officers appointed by the same shall remain in office until their successors are appointed and qualified, or the offices abolished.

2. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the Confederate States under this Constitution as under the Provisional Government.

3. This Constitution, and the laws of the Confederate States, made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the Confederate States, shall be the supreme law of the land; and the Judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

4. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial officers, both of the Confederate States and of the several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the Confederate States.

5. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people of the several States.

6. The powers not delegated to the Confederate States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people thereof.

## ARTICLE VII.

1. The ratification of the Conventions of five States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

2. When five States shall have ratified this Constitution, in the manner above specified, the Congress, under the Provisional Constitution, shall prescribe the time for holding the election of President and Vice President; and for the meeting of the Electoral College; and for counting the votes, and inaugurating the President. They shall also prescribe the time for holding the first election of Members of Congress under the Constitution, and at the time for assembling the same. Until the assembling of such Congress, the Congress under the Provisional Constitution shall continue to exercise the legislative powers granted them—not extending beyond the time limited by the Constitution of the Provisional Government.



# ALPHABETICAL LIST

## OF THE

### MEMBERS OF THE CONVENTION,

WITH THEIR POST OFFICES AND ELECTION DISTRICTS.

NAME.	DISTRICT.	POST OFFICE.
D. F. JAMISON; <i>Pres't.</i>	Barnwell.....	Midway.
*ADAMS, JAMES H.....	Richland.....	Gadsden.
ALLISON, R. T.....	York.....	Meek's Hill.
✓APPLEBY, D. C.....	St. George's, Dorchester.....	Branchville.
ATKINSON, S. T.....	Winyaw.....	Georgetown.
†AYER, L. M.....	Barnwell.....	Buford's Bridge.
BARNWELL, R. W.....	St. Helena.....	Beaufort.
BARRON, A. I.....	York.....	Yorkville.
BARTON, D. R.....	Orange.....	Branchville.
BEATY, T. W.....	Horry.....	Conwayboro'.
BELLINGER, E. St. P.....	St. Bartholomew's.....	Walterboro'.
BENHEA, A. W.....	Marion.....	Reedy Creek.
BOBO, S.....	Spartanburg.....	Spartanburg C. H.
BONNEAU, P. P.....	Christ Church.....	Haddrell's.
BRABHAM, J. J.....	Barnwell.....	Buford's Bridge.
BROWN, A. H.....	St. Andrew's.....	Charleston.
BROWNS, C. P.....	St. James', Goose Creek.....	Charleston.
*BUCHANAN, J.....	Fairfield.....	Winnsboro'.
BURNET, A. W.....	St. Philip's and St. Michael's...	Charleston.
CAIN, W.....	St. John's, Berkeley.....	Black Oak.
CALDWELL, JOSEPH.....	Newberry.....	Mount Bethel.

\* Deceased.

† Resigned.

✓ = Minister.

## LIST OF MEMBERS.

NAME.	DISTRICT.	POST OFFICE.
CALHOUN, JOHN A.....	Abbeville.....	Abbeville C. H.
CAMPBELL, WILLIAM H....	Greenville.....	Greenville C. H.
CARLISLE, JAMES H.....	Spartanburg.....	Spartanburg C. H.
*CARN, M. E.....	St. Bartholomew's.....	Walterboro'.
CARROLL, J. P.....	Edgefield.....	Aiken.
CAUGHMAN, H. I.....	Lexington.....	Lexington C. H.
CAUTHEN, W. C.....	Lancaster.....	Hanging Rock.
CHARLES, E. W.....	Darlington.....	Darlington C. H.
CHESNUT, JAMES, Jr.....	Kershaw.....	Camden.
GHEVES, LANGDON.....	St. Peter's.....	Savannah, Ga.
CLARKE, E. M.....	St. Andrew's.....	Charleston.
*CONNER, H. W.....	St. Philip's and St. Michael's...	Charleston.
CRAWFORD, R. L.....	Lancaster.....	Lancaster C. H.
CURTIS, WILLIAM.....	Spartanburg.....	Limestone Springs.
DARBY, A. T.....	St. Matthew's.....	Fort Motte.
*DARGAN, J. A.....	Darlington.....	Darlington C. H.
DAVANT, R. J.....	St. Luke's.....	Gillisonville.
DAVIS, H. C.....	Fairfield.....	Ridgeway.
DESAUSSURE, W. F.....	Richland.....	Columbia.
DETREVILLE, R.....	St. Philip's and St. Michael's...	Charleston.
DOZIER, A. W.....	Williamsburg.....	Johnsonville.
DUNCAN; PERRY E.....	Greenville.....	Greenville C. H.
DUNKIN, B. F.....	Winyaw.....	Charleston.
DUNOVANT, A. Q.....	Chester.....	Chesterville.
DUNOVANT, R. G. M.....	Edgefield.....	Edgefield C. H.
✓DUPRE, D.....	St. James', Santee.....	South Santee Ferry.
EASLEY, W. K.....	Greenville.....	Greenville C. H.
ELLIS, W. J.....	Horry.....	Conwayboro'.
ENGLISH, T. R.....	Sumter.....	Mayesville.
EVANS, C. D.....	Marion.....	Marion C. H.
FAIR, SIMEON.....	Newberry.....	Newberry C. H.
FINLEY, W. P.....	Barnwell.....	Aiken.
FLUD, DANIEL.....	St. George's, Dorchester.....	Summerville.
FORSTER, A. M.....	Winyaw.....	Georgetown.
FOSTER, B. B.....	Spartanburg.....	Glen Springs.
FRAMPTON, J. E.....	Prince William's.....	Pocotaligo.
✓FURMAN, J. C.....	Greenville.....	Greenville C. H.

\* Deceased.



NAME.	DISTRICT.	POST OFFICE.
*GADBERRY, JAMES M.	Union	Union C. H.
GARLINGTON, H. W.	Laurens	Laurens C. H.
GEIGER, J. C.	Lexington	Sandy Run.
GIST, WILLIAM H.	Union	Union C. H.
GLOVER, T. W.	Orange	Orangeburg.
GOODWIN, E. W.	Marlboro'	Brightsville.
GOURDIN, R. N.	St. Philip's and St. Michael's	Charleston.
GOURDIN, T. L.	St. Stephen's	Pineville
✓GREEN, H. D.	Sumter	Mechanicsville.
GREGG, MAXCY	Richland	Columbia.
GREGG, WILLIAM	Edgefield	Aiken.
GRISHAM, W. S.	Pickens	Walhalla.
HAMMOND, A. J.	Edgefield	Hamburg.
HANCKEL, T. M.	St. Philip's and St. Michael's	Charleston.
HARLEE, W. W.	Marion	Mars' Bluff.
HARRISON, JAMES	Greenville	Cedar Falls.
HAYNE, I. W.	St. Philip's and St. Michael's	Charleston.
HENDERSON, E. R.	St. Bartholomew's	Blue House.
✓HONOUR, J. H.	St. Philip's and St. Michael's	Charleston.
HOPKINS, WILLIAM	Richland	Hopkins' T. O.
HUNTER, WILLIAM	Pickens	Wolf Creek.
HUTSON, W. F.	Prince William's	Pocotaligo.
INGLIS, JOHN A.	Chesterfield	Cheraw.
INGRAM, J. J.	Clarendon	Manning.
JACKSON, S.	Chesterfield	Mount Crogan.
JEFFERIES, JAMES	Union	Gowdeysville.
JENKINS, JOHN	St. John's, Colleton	Edisto Island.
JENKINS, J. E.	St. Paul's	Adams' Run.
JOHNSON, W. D.	Marlboro'	Bennettsville.
KEITT, L. M.	Orange	Orangeburg.
KERSHAW, J. B.	Kershaw	Camden.
KILGORE, B. F.	Spartanburg	Laurensville.
KINARD, J. P.	Newberry	Newberry C. H.
KINSLER, J. H.	Richland	Columbia.
✓LANDRUM, J. G.	Spartanburg	Spartanburg C. H.
LAWTON, B. W.	Barnwell	Allendale.
LEWIS, A. F.	Pickens	Pendleton.

\* Deceased.

## LIST OF MEMBERS.

NAME.	DISTRICT.	POST OFFICE.
LOGAN, R. C.....	Williamsburg.....	Kingstree.
*LYLES, W. S.....	Fairfield.....	Strother.
MCCRADY, EDWARD.....	St. Philip's and St. Michael's...	Charleston.
MCIVER, HENRY.....	Chesterfield.....	Cheraw.
McKEE, JOHN.....	Chester.....	Chester C. H.
McLEOD, A.....	Marlboro'.....	Bennettsville.
†MAGRATH, A. G.....	St. Philip's and St. Michael's...	Charleston.
MANIGAULT, G.....	St. Philip's and St. Michael's...	Charleston.
MANNING, JOHN L.....	Clarendon.....	Fulton.
MAULDIN, B. F.....	Anderson.....	Williamston.
MAXWELL, JOHN.....	Pickens.....	Pendleton.
MAYES, M. P.....	Sumter.....	Mayesville.
MAZYCK, ALEXANDER.....	St. James', Santee.....	Charleston.
*MEANS, JOHN H.....	Fairfield.....	Buckhead.
MEMMINGER, C. G.....	St. Philip's and St. Michael's...	Charleston.
MIDDLETON, JOHN IZARD.....	All Saints.....	Georgetown.
MIDDLETON, W.....	St. Philip's and St. Michael's...	Charleston.
MILES, W. P.....	St. Philip's and St. Michael's...	Charleston.
MOORE, THOMAS W.....	Chester.....	Smith's T. O.
MOORMAN, R.....	Newberry.....	Maybinton.
NOBLE, EDWARD.....	Abbeville.....	Abbeville C. H.
NOWELL, J. L.....	St. Thomas' and St. Dennis'...	Charleston.
O'HEAR, J. S.....	St. Thomas' and St. Dennis'...	Charleston.
ORR, JAMES L.....	Anderson.....	Anderson C. H.
PALMER, J. S.....	St. Stephen's.....	Echaw.
PARKER, F. S.....	Winyaw.....	Georgetown.
PERRIN, THOMAS C.....	Abbeville.....	Abbeville C. H.
POPE, J. D.....	St. Helena.....	Beaufort.
PORCHER, F. J.....	St. Philip's and St. Michael's...	Charleston.
PRESSLEY, J. G.....	Williamsburg.....	Kingstree.
QUATTLEBAUM, PAUL.....	Lexington.....	Lightwood Creek.
RAINEY, SAMUEL.....	York.....	Guthriesville.
REED, J. P.....	Anderson.....	Anderson C. H.
RHETT, R. B.....	St. Philip's and St. Michael's...	Charleston.
RHODES, GEORGE.....	St. Peter's.....	Lawtonville.
RICHARDSON, F. D.....	St. Philip's and St. Michael's...	Charleston.
RICHARDSON, J. P.....	Clarendon.....	Fulton.

\* Deceased.

† Resigned.

NAME.	DISTRICT.	POST OFFICE.
✓ ROBINSON, D. P.....	Lancaster.....	Craigville.
ROWELL, W. B.....	Marion.....	Marion C. H.
RUTLEDGE, B. H.....	St. Philip's and St. Michael's..	Charleston.
SCOTT, E. B.....	St. Paul's.....	Summerville.
SEABROOK, E. M.....	St. Luke's.....	Bluffton.
SEABROOK, G. W., Sr.....	St. John's, Colleton.....	Charleston.
SESSIONS, B. E.....	All Saints.....	Conwayboro'.
SHINGLER, J. M.....	St. James', Goose Creek.....	Holly Hill.
SHINGLER, W. P.....	Christ Church.....	Charleston.
SIMONS, T. Y., Jr.....	St. Philip's and St. Michael's..	Charleston.
SIMPSON, R. F.....	Anderson.....	Pendleton.
SIMS J. S.....	Union.....	Pacolet Mills.
SMITH, J. J. P.....	St. Philip's and St. Michael's..	Charleston.
SMYLY, J. C.....	Edgefield .....	Lott's.
SNOWDEN, P. G.....	St. John's, Berkeley.....	Black Oak.
SPAIN, A. C.....	Sumter.....	Sumter C. H.
SPRATT, L. W.....	St. Philip's and St. Michael's..	Charleston.
SPRINGS, A. B.....	York.....	Fort Mill.
STOKES, P.....	St. Bartholomew's.....	Branchville.
THOMPSON, ROBERT A.....	Pickens.....	Pickens C. H.
THOMSON, THOMAS.....	Abbeville.....	Abbeville C. H.
TIMMONS, J. M.....	Darlington .....	Timmons ville.
* TOMPKINS, JAMES.....	Edgefield.....	Park's Store.
TOWNSEND, JOHN.....	St. Philip's and St. Michael's..	Edisto Island
WAGNER, T. D.....	St. Philip's and St. Michael's..	Charleston.
✓ WANNAMAKER, JOHN J....	St. Matthew's.....	St. Matthew's.
WARDLAW, D. L.....	Abbeville.....	Abbeville C. H.
*WARDLAW, F. H.....	Edgefield.....	Edgefield C. H.
*WATTS, W. D.....	Laurens.....	Laurens C. H.
WHITNER, J. N.....	Anderson.....	Anderson C. H.
WIER, THOMAS, Sr.....	Laurens.....	Clinton.
WILLIAMS, J. D.....	Laurens.....	Spring Grove.
WILSON, I. D.....	Darlington.....	Society Hill.
WILSON, J. H.....	Abbeville.....	Abbeville C. H.
WILSON, W. B.....	York.....	Yorkville.
† WITHERS, T. J.....	Kershaw.....	Camden.
WOODS, RICHARD.....	Chester.....	Carmel Hill.

\* D. board.

† Resigned.

## LIST OF MEMBERS.

NAMES.	DISTRICT.	POST OFFICE.
YOUNG, HENRY C.....	Laurens.....	Laurens C. H.
B. F. ARTHUR, <i>Clerk</i> .....	Union.....	Union C. H.
JAMES CONNER.....	St. Philip's and St. Michael's...	Charleston.
	Elected in the place of H. W. CONNER, deceased.	
THOMAS SMITH.....	Darlington.....	Society Hill.
	Elected in the place of J. A. DARGAN, deceased.	
JOHN S. PRESTON.....	Richland.....	Columbia.
	Elected in the place of JAS. H. ADAMS, deceased.	
GEORGE BOSWELL.....	Edgefield.....	Ivy Island.
	Elected in the place of F. H. WARDLAW, deceased.	
C. P. SULLIVAN.....	Laurens.....	Laurens C. H.
	Elected in the place of W. D. WATTS, deceased.	
REUBEN STEPHENS.....	t. Bartholomew's.....	Buckhead Causey.
	Elected in the place of M. E. CARN, deceased.	
W. R. TAYLOR.....	Kershaw.....	Camden.
	Elected in the place of T. J. WITHERS, resigned.	
W. J. ALSTON.....	Fairfield.....	Alston.
	Elected in the place of W. S. LYLES, deceased.	
W. R. ROBERTSON.....	Fairfield.....	Winnsboro'.
	Elected in the place of JOHN BUCHANAN, deceased.	
JOHN PHILLIPS.....	St. Philip's and St. Michael's...	Charleston.
	Elected in the place of A. G. MAGREATH, resigned.	



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